

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SPECIAL USE PERMIT RELATED TO ZON-5222

SUP-5225 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for Special Use Permit FOR A PROPOSED AUTO SMOG CHECK AND CARWASH, SELF SERVICE located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	1
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - DENIED - UNANIMOUS with REESE abstaining because CLEDOUS DEXTER is the brother-in-law of LORETTA ARRINGTON, his Council Liaison. Even though the City Attorney opined he could vote on the item, in an abundance of caution, he abstained from voting

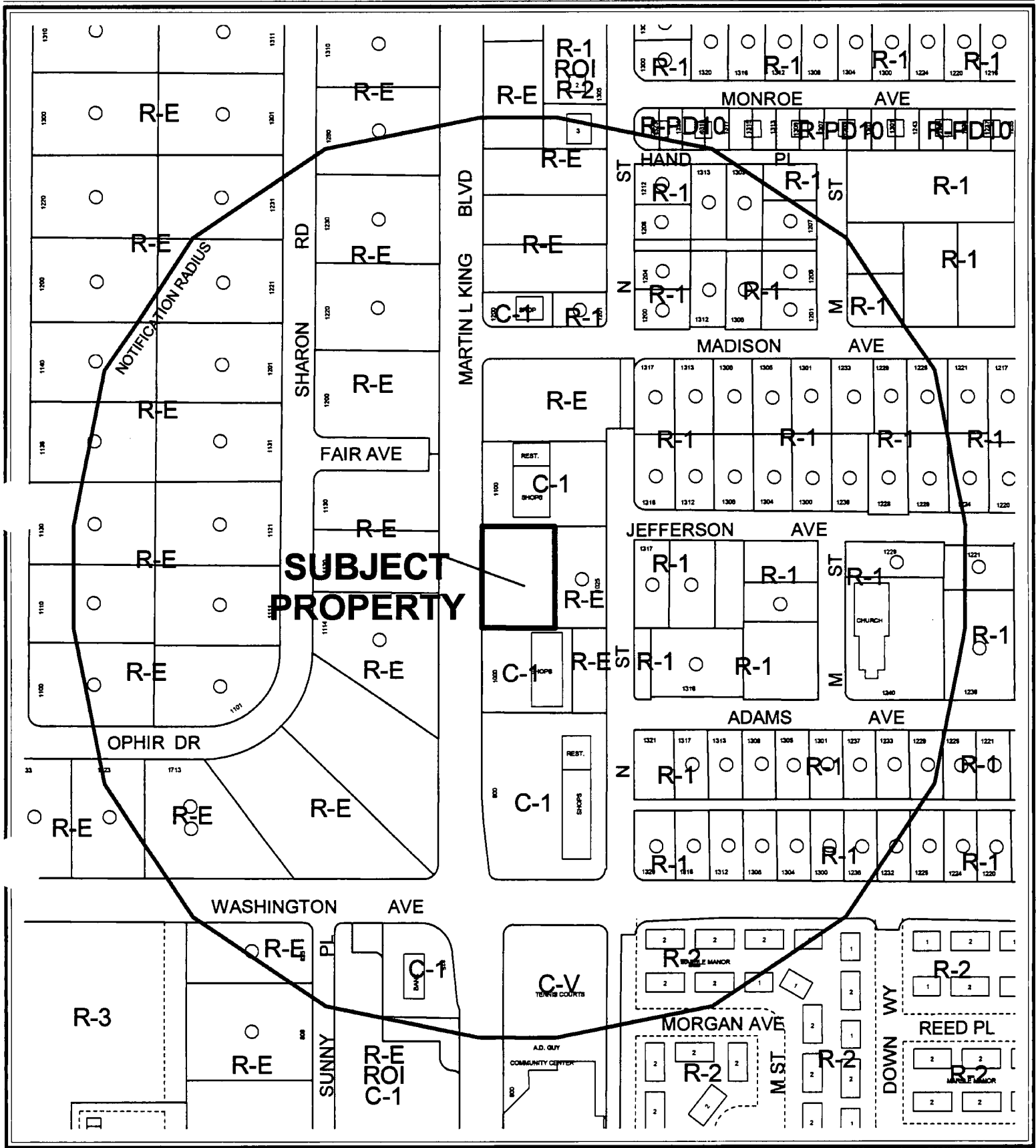
NOTE: COUNCILMAN REESE disclosed he was informed by his liaison, LORETTA ARRINGTON, that CLEDOUS DEXTER is her brother-in-law. MS. ARRINGTON has not worked on nor talked to him about this project. It was the opinion of the City Attorney that he could vote on the item, but in an abundance of caution, he would abstain from voting.

MINUTES:

NOTE: See Item 99 [ZON-5222] for all related discussion.

(2:59 - 3:10)

4-3126



CASE: SUP-5225

RADIUS: 750 FT

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

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

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SUP-5225 - APPLICANT: CLEDOUS L DEXTER - OWNER:
ODESSA AND JOHNNY PATTILLO TRUST**

**** CONDITIONS ****

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. Approval of a Rezoning (ZON-5222) and Site Development Plan Review (SDR-5223) by the Planning Commission and City Council prior to issuance of any type of permits for the site.
2. This Special Use Permit shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. The vacuums near the east property line shall be relocated to the open area near the trash enclosure at the northwest corner of the parcel.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Special Use Permit for Auto Smog Check and Carwash on 0.58 acres located between 1000 and 1100 Martin L. King Boulevard.

B) Applicant's Justification

No justification was made by the applicant for this request for a Special Use Permit.

BACKGROUND INFORMATION

A) Previous Actions

11/04/04 The Planning Commission recommended approval of the related Rezoning to C-1 (ZON-5222) and denial of the Site Development Plan Review for an auto smog check and car wash as part of this agenda (SDR-5223).

11/04/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #46/kw).

B) Pre-Application Meeting

08/18/04 During the pre-application conference all three applications (ZON-4288, SUP-5225, and SDR-5223) and the elements of complete submittals were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.58

B) Existing Land Use

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

C) Planned Land Use

Subject Property:	C-DTR	Commercial- Downtown Redevelopment Plan
North:	C-DTR	Commercial- Downtown Redevelopment Plan
South:	C-DTR	Commercial- Downtown Redevelopment Plan
East:	C-DTR	Commercial- Downtown Redevelopment Plan
West:	R	Rural Density Residential

D) Existing Zoning

Subject Property:	R-E	Residence Estates Residential
North:	C-1	Limited Commercial
South:	C-1	Limited Commercial
East:	R-E	Residence Estates Residential
West:	R-E	Residence Estates Residential

E) General Plan Compliance

a. Southeast General Plan

The subject parcel is designated C (Commercial) within the Downtown Redevelopment Plan (DTR) Map as part of the City of Las Vegas General Plan. The requested C-1 (Limited Commercial) zoning is in conformance with the General Plan and the DTR.

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

Special Area Plan- Downtown Redevelopment Plan

The request is in conformance with Redevelopment Plan Policies that encourage innovative development that is harmonious and compatible with the surrounding area.

ANALYSIS

A) Zoning Code Compliance

A1) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required Parking		Provided Parking	
			Regular	Handicap	Regular	Handicap
Car Wash Self service	N/A.	2 Spaces /Stall	9	1	12	1

The proposal meets the requirements of Title 19.10 for Parking.

A2) Minimum Distance Separation Requirements

There is an 80 foot (the width of a public street) Minimum Separation Distance Requirements in the Zoning Code that apply to the proposed self service car wash use. Specifically a self serve car wash, by standard condition, shall be separated by a 80-foot minimum width street from any residential property. Inasmuch the residential lot to the east is planned as commercial by the Downtown Redevelopment Plan, the separation will be interpreted as to pertain to the residential across Martin L. King and "N" Street to the east.

B) General Analysis and Discussion

- Zoning

There are a number of requirements set forth in Title 19.08.050, Special Use Permits, for the self-service car wash use. The proposed development is in conformance with the requirements listed in 19.08.050.

- Use

The self-service car wash use is permitted in the C-1 (Limited Commercial) zoning district by means of a Special Use Permit.

- Conditions

Since the lot to the east is currently being used as a residence, a condition will be added to require the relocation of the easternmost vacuum bay to the Martin L. King side of the lot, until such time the lot is rezoned commercial to minimize the impact of the carwash.

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 self service car wash can be conducted in a manner that is harmonious and compatible with the adjacent land uses by modification of site plan. Although the stipulation has been made that the residential to east would not disqualify the proposed use, the potential impacts could be mitigated by moving the vacuum bays to be along the north property line.

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

The subject site is physically suitable for the type and intensity of the land use proposed. Moving the vacuum bays to be along the north property line will allow better circulation around the site even after the widening of Martin L. King and will minimize the impact of the use on the residential lot to the east.

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.”**

Martin L. King Boulevard is an 80-foot wide secondary arterial roadway. The roadway is of adequate capacity to accommodate the expected needs of the proposed car wash and auto smog uses.

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 car wash and auto smog uses will be consistent with the objectives of the General Plan as development of the site is supported by the DTR designation of the parcel as future commercial. The additional commercial will provide the services that local neighborhood needs.

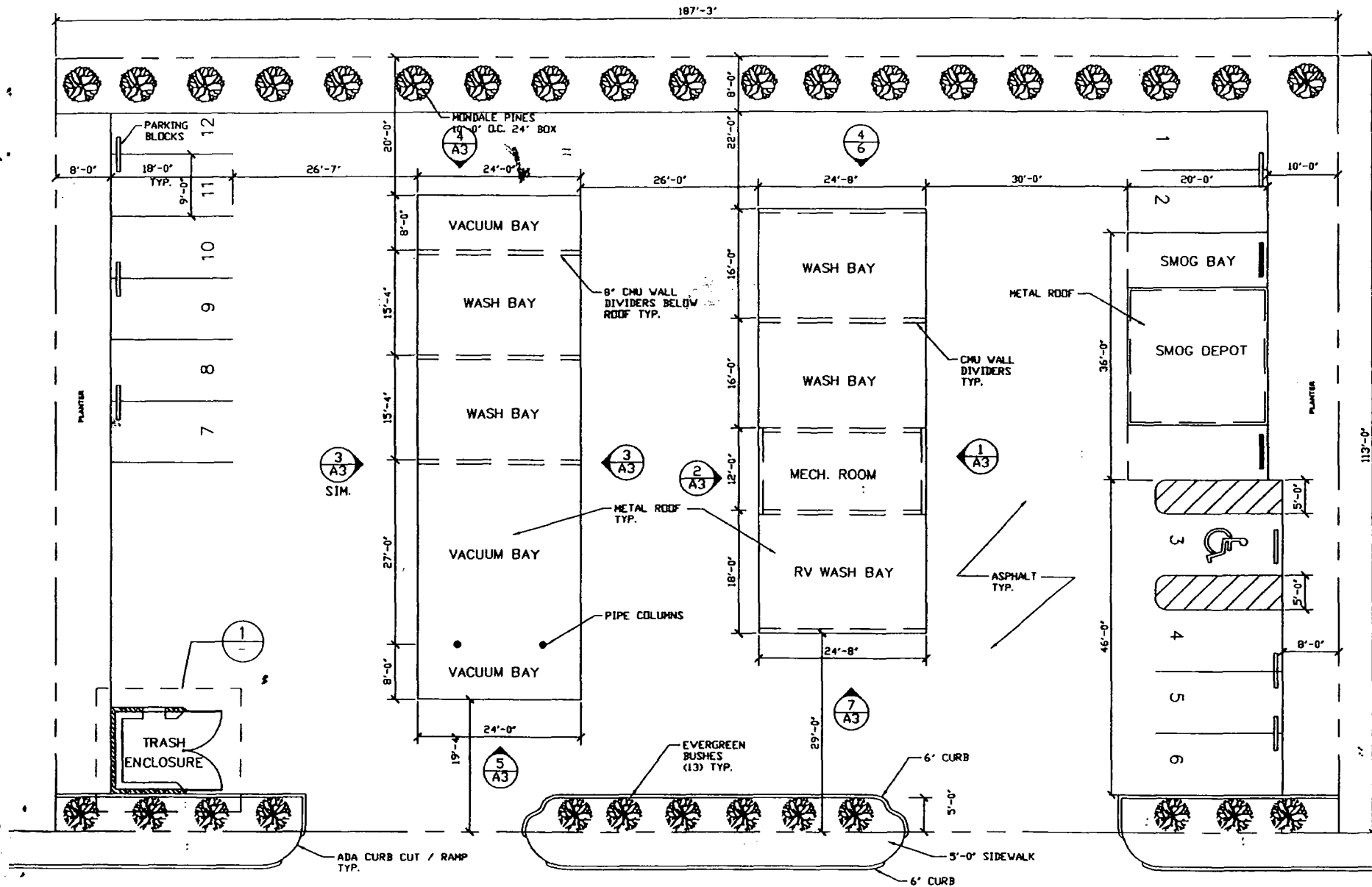
PLANNING COMMISSION ACTION

There was one speaker in protest of the application. The majority of the Planning Commission believed the use was incompatible with the residential neighborhood immediately to the east. If approved, the Planning Commission had discussed an annual review.

NOTICES MAILED 109 by City Clerk

APPROVALS 0

PROTESTS 1



MARTIAN LUTHER KING BLVD.

ZON-5222
SUP-5225
SDR-5223
11-04-04 PC

BCBB INC 1211 East 1st Ave. Suite 200 Phoenix, AZ 85004 (602) 944-1111 FAX (602) 944-1112	Project No. _____ Date _____ Scale _____	SITE PLAN	SMOG DEPOT & CAR WASH MARTIN LUTHER KING BLVD	A1.0



SUP-5225 - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST
1000-1100 MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5222 AND SUP-5225

SDR-5223 - PUBLIC HEARING - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST - Request for Site Development Plan Review and a Waiver of perimeter buffering and landscaping standards FOR A PROPOSED SMOG CHECK AND CAR WASH, SELF SERVICE on 0.58 acres located between 1000-1100 Martin L. King Boulevard. (APN 139-28-604-004), R-E (Residence Estates) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

1

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - DENIED - UNANIMOUS with REESE abstaining because CLEDOUS DEXTER is the brother-in-law of LORETTA ARRINGTON, his Council Liaison. Even though the City Attorney opined he could vote on the item, in an abundance of caution, he abstained from voting

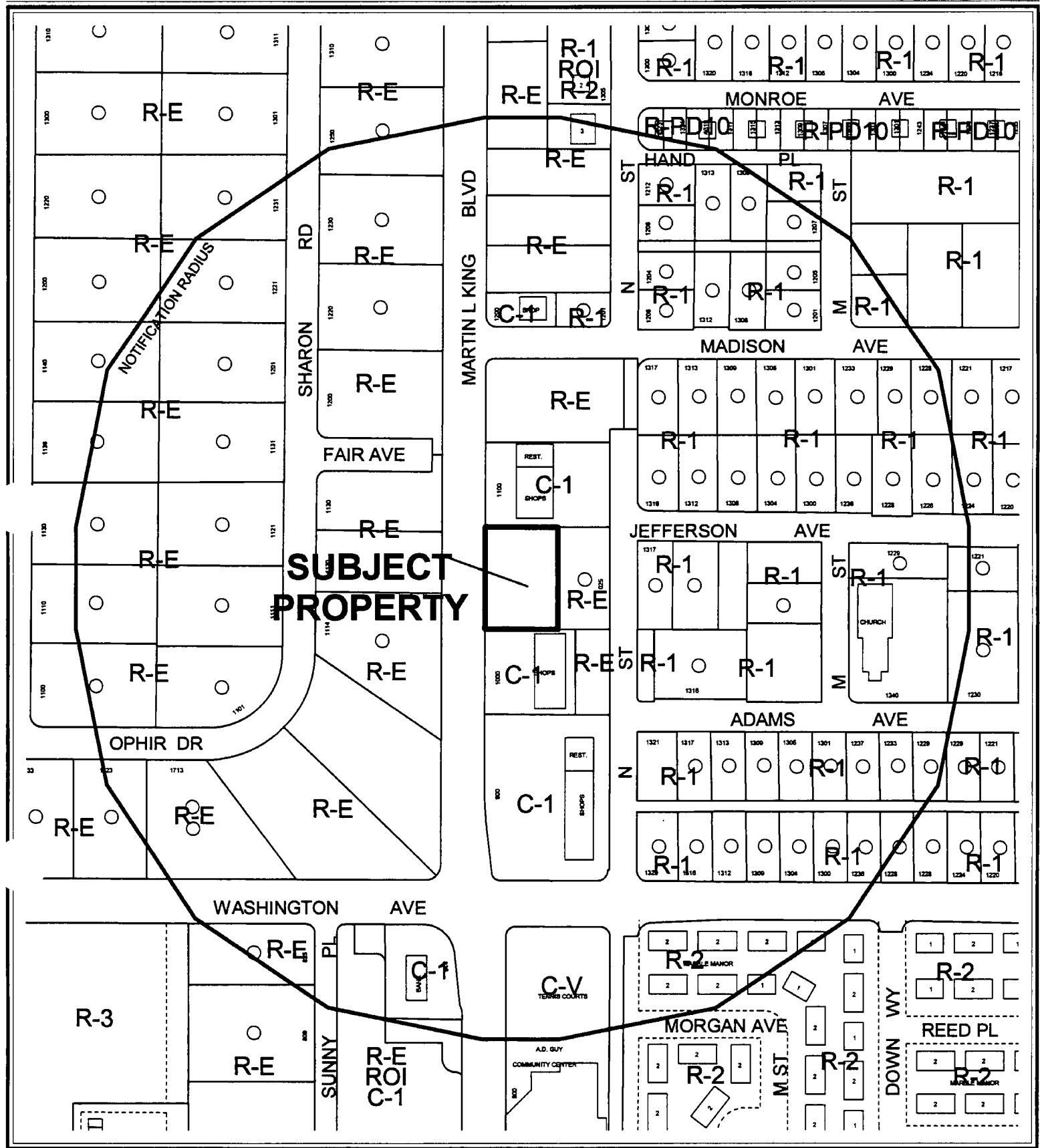
NOTE: COUNCILMAN REESE disclosed he was informed by his liaison, LORETTA ARRINGTON, that CLEDOUS DEXTER is her brother-in-law. MS. ARRINGTON has not worked on nor talked to him about this project. It was the opinion of the City Attorney that he could vote on the item, but in an abundance of caution, he would abstain from voting.

MINUTES:

NOTE: See Item 99 [ZON-5222] for all related discussion.

(2:59 - 3:10)

4-3126



CASE: SDR-5223

RADIUS: 750 FT

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

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

0 200 400 Feet

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5223 - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST

**** CONDITIONS ****

The Planning Commission (5-2 vote) recommends DENIAL. Staff recommends APPROVAL, subject to:

Planning and Development

1. A Rezoning (ZON-5222) to a C-1 (Limited Commercial) Zoning District and a Special Use Permit (SUP-5225) approved by the City Council.
2. A revised site plan shall be submitted to the Planning and Development Department prior to the issuance of building permits that will show the relocation of the vacuums to be next to the trash enclosure at the northwest corner of the site and a reduced building in the northern portion of the site that is no closer than 20 feet from the front property line.
3. A new landscaping plan shall be submitted to the Planning and Development Department prior to the issuance of building permits that shows the proper number of 24 inch box trees and 4- five gallon and 4- one gallon shrubs along the north and south property lines.
4. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
5. All development shall be in conformance with the site plan and building elevations, date stamped September 8, 2004, except as amended by conditions herein.
6. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.
7. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. [Failure to properly maintain required landscaping and underground sprinkler systems should be cause for revocation of a business license.]
8. All mechanical equipment, air conditioners and trash areas shall be fully screened from the abutting streets.
9. 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.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
11. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
12. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

13. Landscape and maintain all unimproved right-of-way on Martin L. King Boulevard adjacent to this site concurrent with development of this site.
14. Submit an Encroachment Agreement for all landscaping and private improvements located in the Martin L. King Boulevard public right-of-way adjacent to this site prior to occupancy of this site.
15. Site development to comply with all applicable conditions of approval for ZON-5222 and all other subsequent site-related actions.
16. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Site Development Plan Review for a proposed Self Serve Car wash and Auto Smog on 0.58 acres located between 1000 and 1100 Martin L. King Boulevard. The request includes waivers of Title 19.08. front perimeter landscaping standards.

B) Applicant's Justification

The applicant justifies the reduction of the front landscaping from 15 feet to 5 feet as the narrower strip will match the development to north at 1000 Martin L. King and south at 1100 Martin L. King Boulevard.

BACKGROUND INFORMATION

A) Previous Actions

11/04/04 The Planning Commission recommended approval of a related Rezoning (ZON-5222) and recommended denial of the related Special Use Permit for the Auto Smog Check and Car Wash as part of this agenda (SUP-5225). Staff recommended approval of all.

11/04/04 The Planning Commission voted 5-2 to recommend DENIAL (PC Agenda Item #47/kw).

B) Pre-Application Meeting

08/18/04 During the pre-application conference all three applications (ZON-4288, SUP-5225, and SDR-5223) and the elements of complete submittals were discussed.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 0.58

B) Existing Land Use

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

C) Planned Land Use

Subject Property: C-DTR Commercial- Downtown Redevelopment Plan
North: C-DTR Commercial- Downtown Redevelopment Plan
South: C-DTR Commercial- Downtown Redevelopment Plan
East: C-DTR Commercial- Downtown Redevelopment Plan
West: R Rural Density Residential

D) Existing Zoning

Subject Property: R-E Residence Estates Residential
North: C-1 Limited Commercial
South: C-1 Limited Commercial
East: R-E Residence Estates Residential
West: R-E Residence Estates Residential

E) General Plan Compliance

a. Southeast General Plan

The subject parcel is designated C (Commercial) within the Downtown Redevelopment Plan (DTR) Map as part of the City of Las Vegas General Plan. The requested C-1 (Limited Commercial) zoning is in conformance with the General Plan and the DTR.

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

Special Area Plan- Downtown Redevelopment Plan

The site will be subject to the goals, objectives, and policies of the DTR and the General Plan.

PROJECT DESCRIPTION

The project consists of five open wash and three vacuum bays generally in the center of the site. Patron parking is along the north and south property lines. Sufficient room is provided between the buildings to allow the queuing of vehicles waiting to use the wash and vacuum bays. A covered and gated trash enclosure is located near the northern most entrance from Martin L. King Boulevard. Access to the site is by two entrances to Martin L. King Boulevard, an 80-foot secondary arterial on the Master plan of Streets and Highways.

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	N/A	Y
Min. Lot Width	100 Feet	187.25 Feet	Y
Min. Setbacks			
• Front	20 Feet	19.33 Feet	N
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	N/A	Y
• Rear	20 Feet	20 Feet	Y
Max. Lot Coverage	50 %	18.9%	Y
Max. Building Height	Single Story	Y	Y
Trash Enclosure	Yes	Y	Y
Loading Zone	N/A	N/A	N/A
Mech. Equipment	Screened	Not Shown	Not Shown
Other ...			

The proposal does not meet the development requirements of Title 19. The building with the 19.3-foot setback will need to be made smaller to achieve compliance with setback standards.

A condition will be added to move the vacuums from where they are located on the site to the area next to the trash enclosure. This alteration of the plan will correct the setback error, improve onsite circulation, and move the noise producing vacuums from the proximity of the eastern property line that is shared with the existing residence to the east of the development.

A2) Residential Adjacency Standards

With the structures on site being no more than single story the proposal meets adjacency standards of Title 19.08.

A3) Parking and Traffic Standards

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

Uses	GFA	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Car Wash Self service	N/A.	2 Spaces /Stall	9	1	12	1

The proposal meets the requirements of Title 19.10 for Parking.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area	1 Trees/ 6 Spaces	N/A	N/A
Buffer:	1 Tree/ 20 Linear Feet	19 Trees	19
• Min. Trees	1 Tree/ 30 Linear Feet	8 Trees	0
• Min. Zone Width	8 Feet		8 Feet
• Wall height	8 Feet		Not Shown

The proposal does not meet the requirements of Title 19.12 for perimeter trees. A condition will be added to require 24-inch box trees spaced at 30 feet on center along the north and south property lines with the appropriate quantity and size of shrubs.

B) General Analysis and Discussion

- Zoning

The proposed Self Serve Car Wash and Auto Smog is within the range of uses allowed with the C-1 (Limited Commercial) zoning district with approval of a Special Use Permit

- Site Plan.

The site plan depicts a five space Self Serve Car wash and smog use. Access to the site will be via two drives from Martin L. King Boulevard.

The vacuums near the east property line and the vacuum bays near the north entrance should be moved to be near the trash enclosure along the north property line. This will lessen the impact of the use on the eastern residential use while it is still residential and will make the circulation on the site easier.

- Waivers

The applicant is requesting a 5-foot wide front landscaping strip along the street. The waiver is recommended for the following reasons:

- 1) The proposed perimeter landscaping will match that of adjacent properties.
- 2) As conditioned, there will be sufficient landscaping on the site to ensure the property is harmonious and compatible with the surrounding area.

- Landscape Plan

The landscape plan does not show perimeter trees along the north and south property lines although the proper buffer is shown on the plan. A condition will be added to remedy the problem.

- Elevation

The elevations show a typical design of self-serve car wash structures.

FINDINGS

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

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

With the relocation of the vacuums as described above the proposed plan will be compatible with current and future uses around the 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 will be consistent with city plans, policies, and standards.

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

The use will not have a negative impact on Martin L. King Boulevard.

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

The building and landscape materials are same that are used elsewhere in 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 elevations and design characteristics are typical for this type of use.

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 occupancy, and therefore will not compromise the public health, safety or welfare.

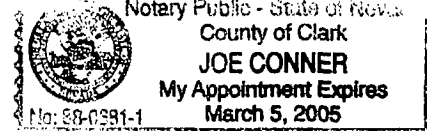
PLANNING COMMISSION ACTION

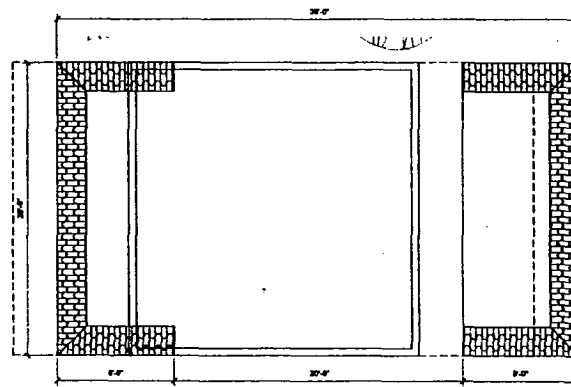
The Planning Commission majority believed that the use was not able to be conditioned to eliminate negative impacts.

NOTICES MAILED 106 by Planning Department

APPROVALS 0

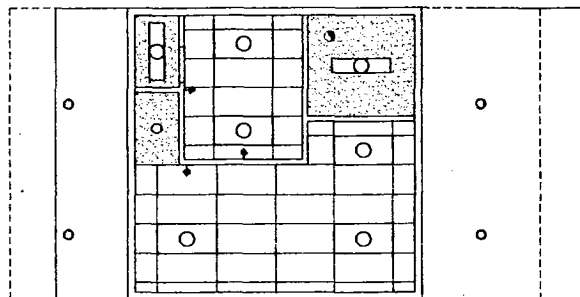
PROTESTS 1





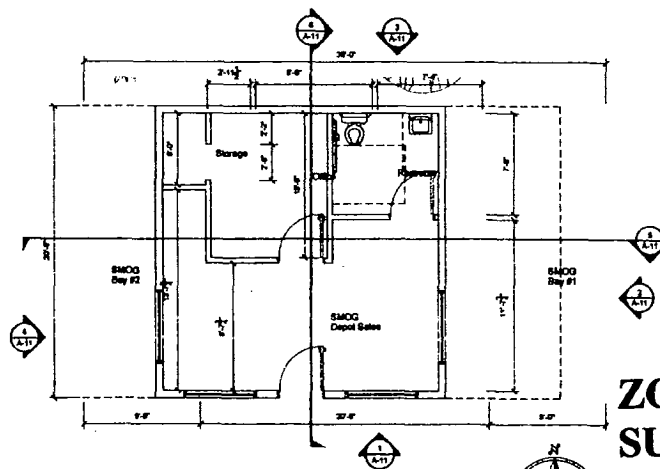
SMOG Building Roof Plan

Scale 1/4" = 1'-0"



SMOG Building Floor Plan

Scale 1/4" = 1'-0"



SMOG Building Floor Plan

Scale 1/4" = 1'-0"



ZON-5222
SUP-5225
SDR-5223
11-04-04 PC

General Notes

CONTRACTOR

NAC 823.780 - Drawings & Specifications remain the property of the design professional. Copies of the drawings & specifications retained by the client may be utilized only for the use & for occupying the project for which they were prepared, and not for the construction of any other project.

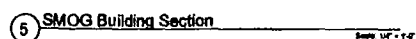
No. Revision/Issue Date

Drawn By: Date

R.C.B.B. INC.
 General Contracting
 LLC # 18615A
 122 Industrial Park Road
 Suite 209
 Henderson, Nevada 89015

Project Name and Address
 Smog Depot & Car Wash
 Martin Luther King Blvd.
 Las Vegas, NV

Project No. 5018/04
 AS NOTED
A-9



ZON-5222
SUP-5225
SDR-5223
11-04-04 P

General Notes																																				
CONTRACTOR Description of work to be performed as an exception to standards set forth for previous license sample submitted under 2000 law. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;">Company Name</td> <td style="width: 60%;">Phone # () _____</td> </tr> <tr> <td>Cash/Trade/Retain?</td> <td>Number of Employees at time of bid (including all subcontractors)</td> </tr> <tr> <td>How Licensed By</td> <td>Expires</td> </tr> </table> MAC 623 710 - Drawings & Specifications remain the property of the design professional. Copies of the drawings & specifications retained by the client may be utilized only for his use & for occupying the project for which they were prepared, and not for the construction of any other project. <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>No.</td> <td>Revision/Issue</td> <td>Date</td> </tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> <tr><td> </td><td> </td><td> </td></tr> </table> <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td>Grown By:</td> <td>Date</td> </tr> <tr><td> </td><td> </td></tr> <tr><td> </td><td> </td></tr> </table> Print Name and Address R C B B INC General Contracting LTC. # 10015A 122 Industrial Park Road Suite 209 Henderson, Nevada 89013 Project Name and Location Smog Depot & Car Wash Martin Luther King Blvd. Las Vegas, NV <table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 40%;"> Date 5/18/04 By AS NOTED </td> <td style="width: 60%; vertical-align: middle; font-size: 2em; font-weight: bold;"> A-10 </td> </tr> </table>		Company Name	Phone # () _____	Cash/Trade/Retain?	Number of Employees at time of bid (including all subcontractors)	How Licensed By	Expires	No.	Revision/Issue	Date																			Grown By:	Date					Date 5/18/04 By AS NOTED	A-10
Company Name	Phone # () _____																																			
Cash/Trade/Retain?	Number of Employees at time of bid (including all subcontractors)																																			
How Licensed By	Expires																																			
No.	Revision/Issue	Date																																		
Grown By:	Date																																			
Date 5/18/04 By AS NOTED	A-10																																			



SDR-5223 - APPLICANT: CLEDOUS L DEXTER - OWNER: ODESSA AND JOHNNY PATTILLO TRUST
1000-1100 MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:
REZONING

ZON-5302 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [R-E (RURAL ESTATES) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATIONS] TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Back up referenced from the 11/4/2004 Planning Commission meeting Item 48

MOTION:

MACK - APPROVED subject to conditions and the following added condition as read for the record:

- Lots adjacent to the southern portion of the east sides of APN 125-11-507-001 and the northern portion of the east side of APN 125-11-507-003 are restricted to single-story structures.
- UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open for Item 102 [ZON-5302], Item 103 [VAR-5306] and Item 104 [SDR-5304].

BRIAN PSIODA, VTN Nevada, 2727 South Rainbow Boulevard, appeared on behalf of the applicant and concurred with staff conditions with the exception of Condition 3 of Item 103 [VAR-5306]. He asked the condition be deleted because the overall development conforms to the open space. ROBERT GENZER, Director of Planning and Development Department, could not verify that statement.

DEPUTY CITY ATTORNEY BRYAN SCOTT asked why the variance is required if the development complies with the open space. MR. PSIODA explained that the 15 acres were recently annexed into the City of Las Vegas. The other part was already in the City of Las Vegas and could not rezone the two pieces together. Therefore, a lot of open space was given in the first part, which was 1.08 acres where only .45 was required. In the second half, they are only providing .3 where .54 is required. If both are added, they are providing 1.4 acres of open space where 1.02 is required.

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

MINUTES - Continued:

MARGO WHEELER, Deputy Director of Planning and Development Department, confirmed MR. PSIODA'S comments. However, the practice is that in any case where a waiver is requested it is the standard condition of approval. However, if the Council wishes to take into consideration the fact that the adjacent property has additional open space, they may of course eliminate that requirement.

COUNCILMAN MACK waived the landscape requirement and deleted Condition 3. MR. PSIODA indicated that it was stipulated by the Planning Commission that Lots 28 and 33 located at the west end of the southwest cul-de-sac be one story. However, he asked that Condition 5 of Item 104 [SDR-5304] be revised that Lots 27 and 28 be single story. This request was made on behalf of the adjacent property owners. Additionally, the applicant has agreed to provide an eight-foot decorative block wall along the entire western property line extending from Brent Lane to the Maggie Avenue alignment, along the knuckle and north of Maverick Street to Iron Mountain Road. MR. PSIODA agreed to the additional condition regarding restricting single-story structures to the southern portion of the east side of APN 125-11-507-001 and the northern portion of the east side of APN 125-11-507-003.

COUNCILMAN MACK verified with MS. WHEELER that Item 103 [VAR-5306] is still required, but Condition 3 would be deleted to eliminate the requirement of the fees.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed for Item 102 [ZON-5302], Item 103 [VAR-5306] and Item 104 [SDR-5304].

(3:10 - 3:19)

5-69

CONDITIONS:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5304) and open space Variance (VAR-5306) 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.
3. Horses shall be allowed pursuant to city codes and standards.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Iron Mountain Road where no right-of-way currently exists.
5. Dedicate 30 feet of right-of-way for Maverick Street, a 25-foot radius corner at the southeast corner of Iron Mountain Road and Maverick Street and 30 feet for Maggie Avenue where no right of way currently exists adjacent to this site. These dedications will not be required if a Vacation is recorded that would remove the need for these rights-of-way.
6. Construct half-street improvements including appropriate overpaving (if legally able) Iron Mountain Road and construct rural improvements on Brent Lane adjacent to this site concurrent with development

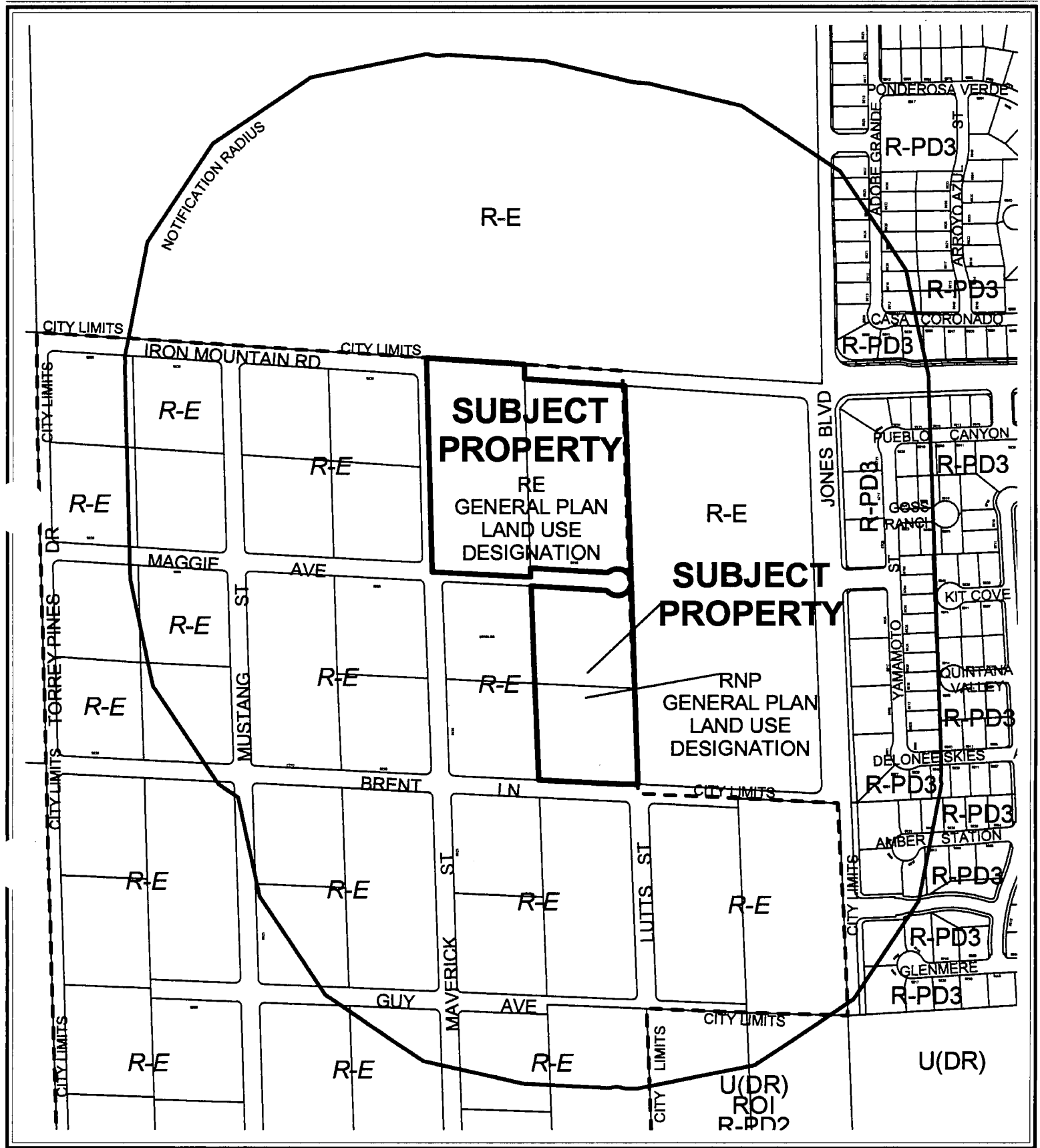
CITY COUNCIL MEETING OF: DECEMBER 1, 2004**CONDITIONS - Continued:**

of this site. Rural improvements shall consist of a total width of 39-feet, being 34-feet of asphalt, centered if possible on the centerline of Brent Lane; and 30-inch rolled curb on the development side of the street. The exterior streetlighting will be stubbed out for later use, but the installation of the streetlights shall be deferred provided that the developer provide to the City such streetlights for the future installation; alternatively, monies in lieu of such streetlights may be contributed to the City if allowed by the Department of Public Works. Sign and record a covenant running with the land for all urban improvements not constructed at this time on Brent Lane. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

7. Construct half-street improvements including appropriate overpaving (if legally able) on Maverick Street and Maggie Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the western boundaries of this site prior to construction of hard surfacing (asphalt or concrete). These construction requirements will not be required if a Vacation is recorded that would remove the need for these improvements.

8. Extend oversized public sewer to the western edge of this site to a location and depth acceptable to the City Engineer. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

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



CASE: ZON-5302

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

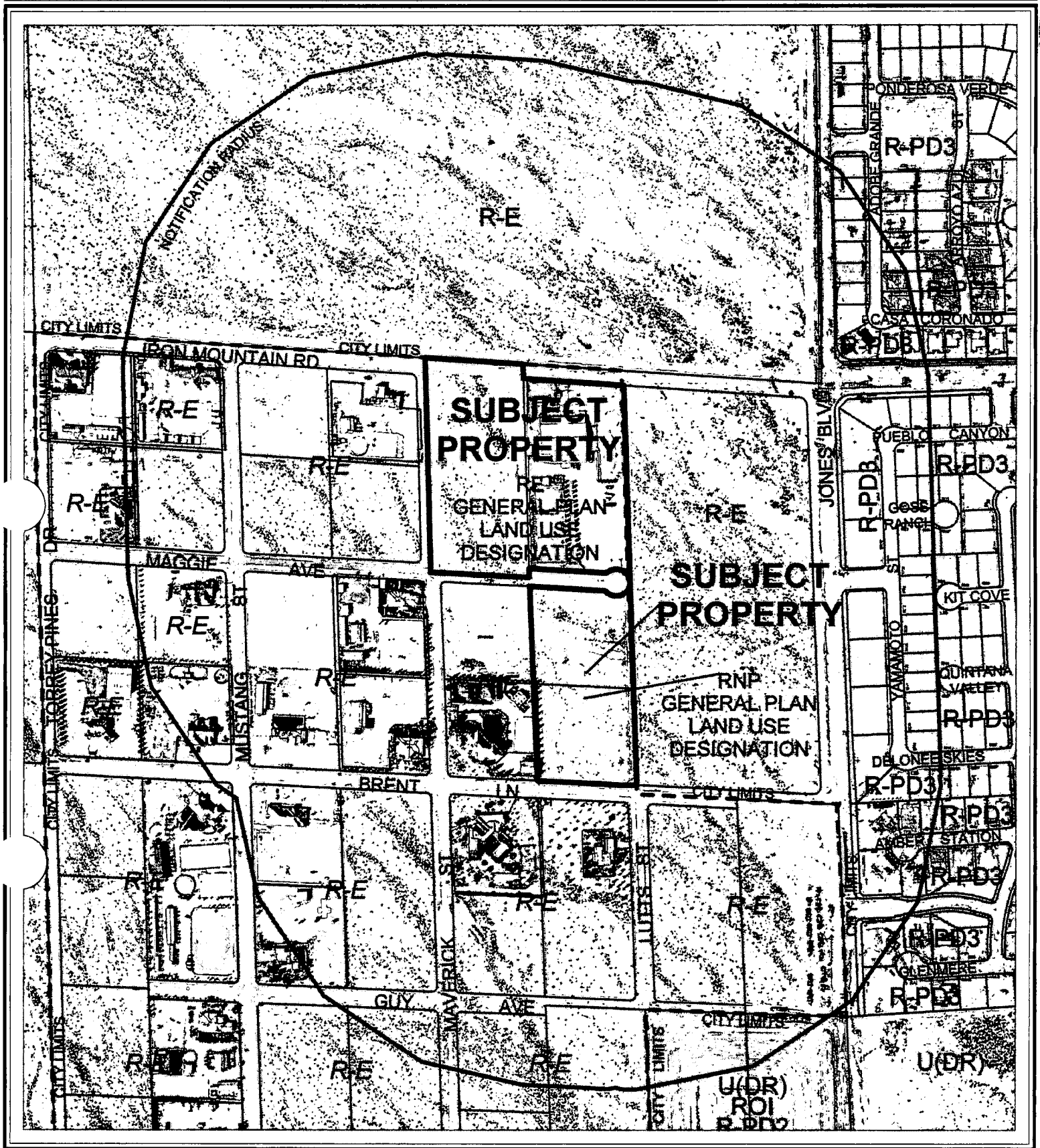
R-E (RESIDENCE ESTATES) [RE (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet





CASE: ZON-5302

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) [RE (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5302 - APPLICANT: STERLING S DEVELOPMENT -
OWNER: QUARTERHORSE FALLS ESTATES, LLC**

**** CONDITIONS ****

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Resolution of Intent with a two-year time limit.
2. A Site Development Plan Review (SDR-5304) and open space Variance (VAR-5306) 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.
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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from: U (Undeveloped) Zone [R-E (Rural Estates) and U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation)] To: RPD2 (Residential Planned Development – 2 Units per acre) on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road.

B) Applicant's Justification

The applicant states: "This request represents Phase II. Phase I of the Site Development Plan Review was approved on 8/18/04 (SDR-4198). The open space variance applies to Phase II only. The overall project has an abundance of open space and would not require a waiver if it were considered as one application. The site was designed with two visible and usable parks located near the entrances within the first phase of the project. This approach was taken rather than providing small segments of decorative space throughout the community".

BACKGROUND INFORMATION

A) Previous Actions

- 11/03/04 The City Council approved a request for a petition to Annex 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (ANX-4777). The Planning Commission and staff recommended approval on 8/26/04.
- 11/04/04 The Planning Commission recommended approval of related items (VAR-5306 and SDR-5304).
- 11/04/04 The Planning Commission voted 3-2-2 to recommend APPROVAL (PC Agenda Item #48/bts).

B) Pre-Application Meeting

- 09/01/04 The elements of a rezoning were discussed at the meeting.

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 15.79 acres

B) Existing Land Use

Subject Property: Equestrian Facilities
Undeveloped
North: Undeveloped
South: Single Family Residential
East: Undeveloped
West: Single Family Residential

C) Planned Land Use

Subject Property: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)
North: PR-OS (Park/Recreation/Open Space)
South: RNP (Rural Neighborhood Preservation)
East: D-R (Desert Rural)
West: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)

D) Existing Zoning

Subject Property: R-E (Rural Estates) [Clark County designation]
North: R-E (Residence Estates)
South: R-E (Rural Estates) [Clark County designation]
East: R-E (Residence Estates)
West: R-E (Rural Estates) [Clark County designation]

E) General Plan Compliance

The subject site is located within Clark County pending an annexation (ANX-4777). Once annexed, the subject site would be located in the Centennial Hills Sector of the General Plan with an RNP (Rural Neighborhood Preservation) and R-E (Residence Estates) land use designation. The proposed R-PD2 (Residential Planned Development – 2 Units per Acre) zoning district is consistent with the proposed General Plan designation.

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

A twenty (20) foot wide multi-use trail is required south of Iron Mountain Road. The trail is required to have the following components: a five (5) foot transition strip, a ten (10) foot public transportation trail, and a five (5) foot private landscaped corridor. The trail shall be incorporated in the improvements of the south side of Iron Mountain Road and the proposed development.

ANALYSIS

A) General Analysis and Discussion

This rezoning application requesting RPD-2 (Residential Planned Development Community – 2 Units per Acre) is consistent with the RPN (Rural Preservation Neighborhood) and R-E (Residence Estates) General Plan designations 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 north and east of the sites, which are between 0 and 2.0 units per acre.

From the standpoint of the proposal as an R-PD 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-5304).

FINDINGS

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

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

The subject site is currently designated R-E (Rural Estates) under a Clark County designation. The applicant has requested R-PD2 (Residential Planned Development – 2 units per acre) zoning. The site will be consistent with the General Plan, after approval of Rezoning and Annexation

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 is intended to comply with the proposed R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning. Lands to the west and south of this project are zoned R-E (Rural Estates) under Clark County zoning. The land to the north and east, within the City of Las Vegas boundary, is zoned R-E (Residence Estates) with a density of up to 2 dwelling units per acre. Therefore, the subject property is compatible with both Las Vegas and Clark County zoning designations and the surrounding land uses.

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

The subject site consists of five parcels within the Centennial Hills Interlocal Land Use Plan Designation, subject to Council approval of the annexation. Development of this site for single-family residential development at a density of two 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 bounded on the north by Iron Mountain Road (a Secondary [80-foot] Collector) and the east by Jones Boulevard (a Primary [90-foot] Arterial). Access to the site is indicated from both Iron Mountain Road and Jones Boulevard. When developed, the access will be adequate to meet the requirements of the proposed zoning district.

PLANNING COMMISSION ACTION

The Planning Commission added Condition #3 and amended Conditions #4 and 5 as shown.

NOTICES MAILED 39 by Planning Department

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-5302 APN: 125-11-507-002, 4 and 125-11-503-001,2

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S Development

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 names(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:

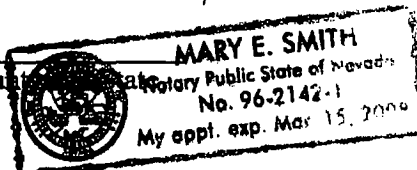
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

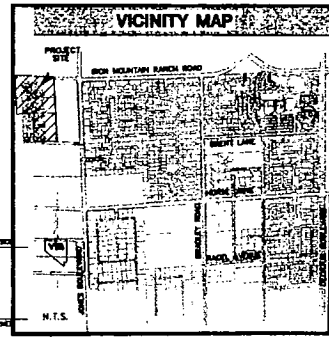
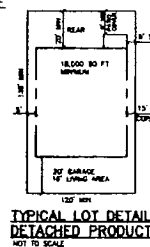
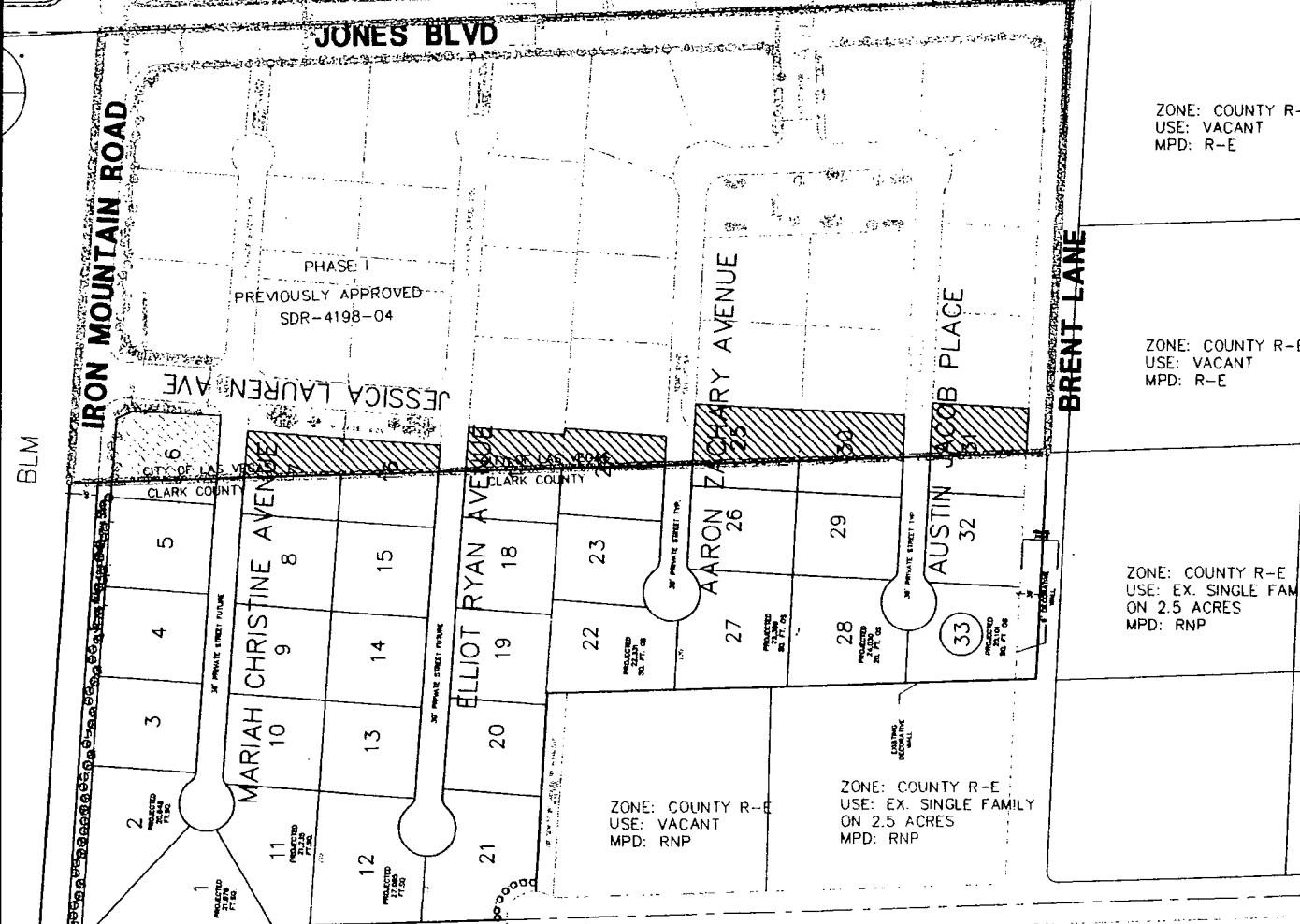
This 20 day of September, 20 04

Notary Public in and for said County



ZONE: IRPD-3 (FOR MOUNTAIN RANCH) 3
 USE: VACANT
 MPD: LOW - 5.5 DU/AC

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



SITE DATA

DESIGNING APPLICATION: 125-11-503-001, 002 and 125-11-507-003, 004
 APN NUMBERS: 125-11-503-001, 002 and 125-11-507-003, 004
 CURRENT ZONING: R-E
 PROPOSED ZONING: R-E
 SITE DEVELOPMENT REVIEW APPLICATION (R-P02): 125-11-503-001, 002 and 125-11-507-003, 004
 APN NUMBERS: 125-11-503-001, 002 and 125-11-507-003, 004
 GROSS AREA: 18.78 ACRES
 CURRENT ZONING: R-E
 PROPOSED ZONING: R-E
 PROPOSED USE: 578 RESIDENTIAL (UP TO 2.5 DU/AC)
 CURRENT MASTER PLAN DESIGNATION: RURAL (UP TO 2.5 DU/AC)

SITE CALCULATIONS

DENSITY CALCULATIONS: PHASE II

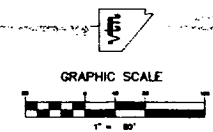
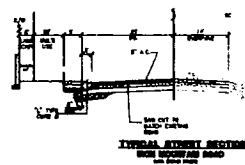
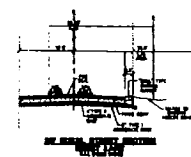
GROSS SITE AREA:	18.78 ACRES
ORDER SITE AREA: (See map and include lot area of any existing lots)	14.78 ACRES
PROPOSED DENSITY OF LOTS:	32
PROPOSED DENSITY:	5.2 DU/AC
ORDER LOT SIZE:	.30 ACRES
LAND USE:	
NET NET LOT AREA:	13.17 ACRES
PRIVATE ROADS:	1.57 ACRES
MAJOR ROADS:	.79 ACRES
RESERVED USE AREA:	.30 ACRES
ORDER SITE AREA:	15.79 ACRES
OVERALL:	
GROSS SITE AREA:	18.78 ACRES
ORDER DENSITY:	1.88 ACRES

PHASE II OPEN SPACE SCHEDULE

REQUIRED:	5.0 + 1.88 + 3.25 = GROSS AREA
PROVIDED:	32 ACRES
USABLE OPEN SPACE:	
PAVED:	
ALLOWABLE EXTERIOR LANDSCAPING:	30 ACRES
TOTAL:	30 ACRES

PHASE II OVERALL OPEN SPACE SCHEDULE

REQUIRED:	DENSITY = 1.88 + 5 = GROSS AREA
PROVIDED:	1.88 + 1.88 = 3.76 + 36.79
USABLE OPEN SPACE:	
PAVED:	
ALLOWABLE EXTERIOR LANDSCAPING:	30 ACRES
TOTAL:	30 ACRES



STERLING 8 DEVELOPMENT

PHASE II SITE PLAN TO ACCOMPANY ZONE CHANGE & SITE PLAN REVIEW

IRON MOUNTAIN - JONES

CITY OF LAS VEGAS

277 200th AVENUE, SUITE 100, LAS VEGAS, NEVADA 89166-2000
 (702) 527-7000 FAX (702) 527-7007

DATE: 11-04-04

BY: [Signature]

DESIGNED BY: [Signature]

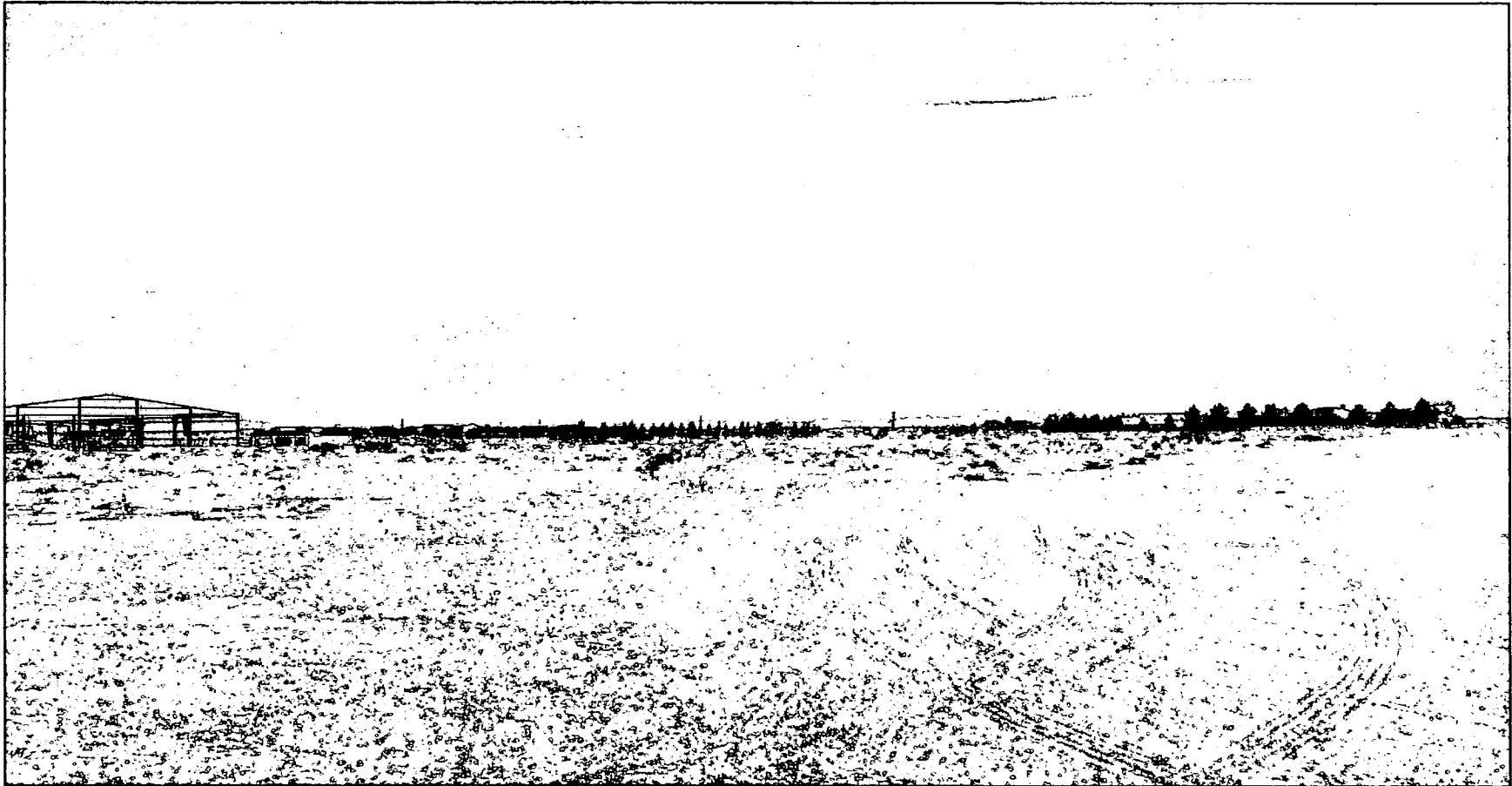
CHECKED BY: [Signature]

PROJECT NO: [Number]

SCALE: AS SHOWN

NOTES:
 1. SEE ZONING MAP FOR ZONING INFORMATION

ZON-5302
VAR-5306
SDR-5304
11-04-04 PC



ZON-5302 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC

**SOUTHEAST CORNER OF MAVERICK STREET AND IRON MOUNTAIN ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION**

10/15/04

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

Telephone Protest/ Approval Log

Meeting Date: 11-1-04

Case Number: ZON-5302 &
11AR-5306

Date: 11-1-04
Name: MARIAN B TIGNER LATHAM
Address: 6220 IRON MTN. RD.
Phone: 656-2526
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
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Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

READ INTO
THE RECORD 102

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

VARIANCE RELATED TO ZON-5302

VAR-5306 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Variance TO ALLOW ZERO ACRES OF OPEN SPACE WHERE 0.54 ACRES OF OPEN SPACE IS REQUIRED in conjunction with a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [R-E (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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3. Staff Report
4. Back up referenced from the 11/4/2004 Planning Commission meeting Item 49

MOTION:**MACK - APPROVED subject to conditions and deleting Condition 3 - UNANIMOUS****MINUTES:**

NOTE: See Item 103 [VAR-5306] for all related discussion.

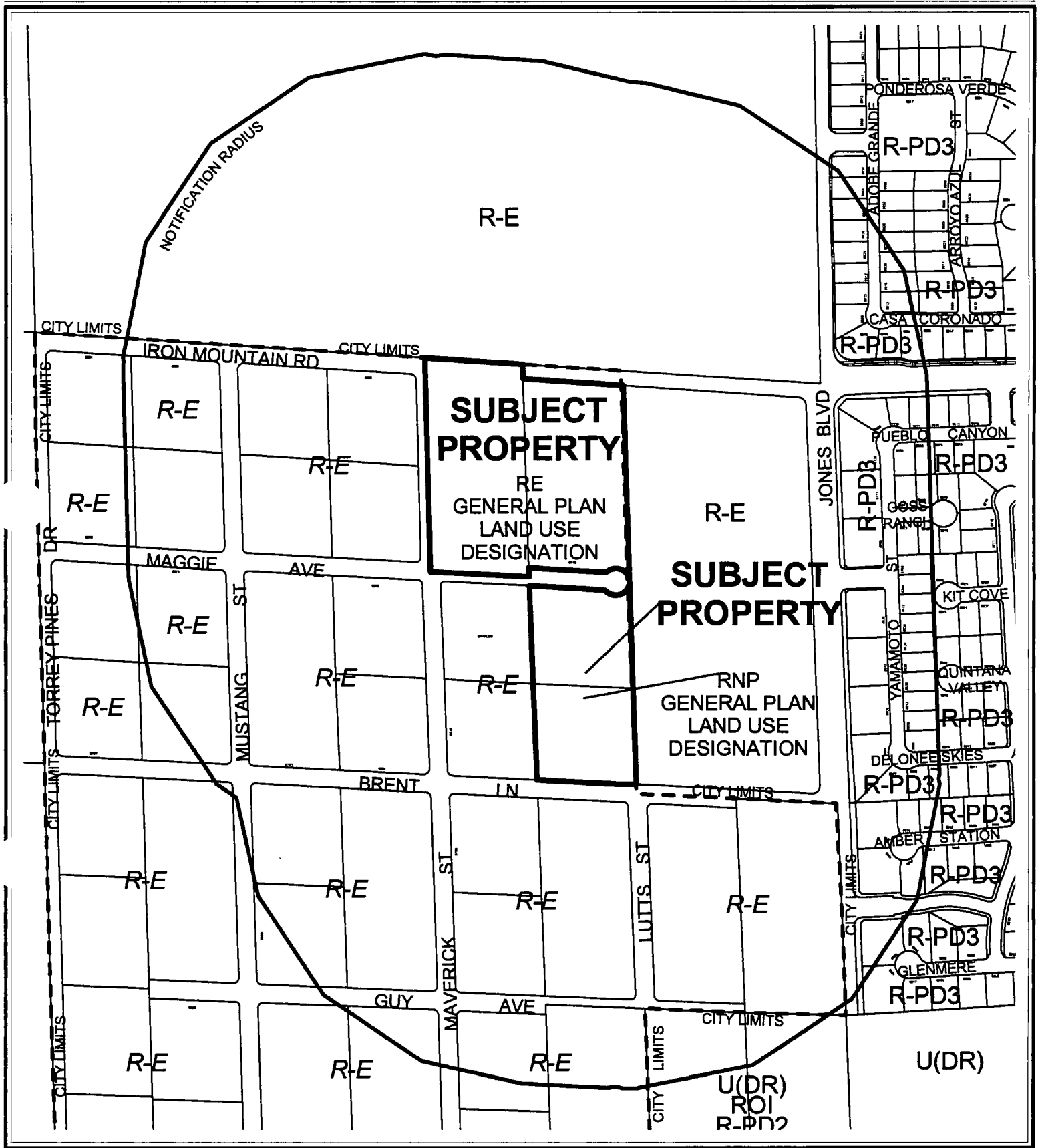
(3:10 - 3:19)

5-69

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning and Site Development Plan Review (ZON-5302) and (SDR-5304).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of [23,522.4 x \$4.00 = \$94,089.60] to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map, otherwise the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.



CASE: VAR-5306

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

R-E (RESIDENCE ESTATES) [RE (RURAL DENSITY RESIDENTIAL) AND RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

0 400 800 Feet

103



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5306 - APPLICANT: STERLING S DEVELOPMENT -
OWNER: QUARTERHORSE FALLS ESTATES, LLC**

**** CONDITIONS ****

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning and Site Development Plan Review (ZON-5302) and (SDR-5304).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the City of Las Vegas Parks CIP Fund in the amount of $[23,522.4 \times \$4.00 = \$94,089.60]$ 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 a Variance to allow zero acres of open space where 0.54 acres of open space is required in conjunction with a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain.

B) Applicant's Justification

The applicant states: "This request represents Phase II. Phase I of the Site Development Plan Review was approved on 8/18/04 (SDR-4198). The open space variance applies to Phase II only. The overall project has an abundance of open space and would not require a waiver if it were considered as one application. The site was designed with two visible and usable parks located near the entrances within the first phase of the project. This approach was taken rather than providing small segments of decorative space throughout the community".

BACKGROUND INFORMATION

A) Previous Actions

- 11/03/04 The City Council approved a request to Annex 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (ANX-4777). The Planning Commission and staff recommended approval on 8/26/04.
- 11/04/04 The Planning Commission recommended approval of a companion request for a Rezoning (ZON-5302) from R-E (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] To: R-PD2 (Residential Planned Development – 2 units per acre); and a Site Development Plan Review (SDR-5304) for a proposed 33-lot single-family residential development.
- 11/04/04 The Planning Commission voted 3-2-2 to recommend APPROVAL (PC Agenda Item #49/bts).

B) Pre-Application Meeting

- 09/01/04 The elements of a variance application were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this application.

A) Site Area

Gross Acres: 15.79

B) Existing Land Use

Subject Property: Equestrian Facilities
Undeveloped
North: Undeveloped
South: Single Family Residential
East: Undeveloped
West: Single Family Residential

C) Planned Land Use

Subject Property: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)
North: PR-OS (Park/Recreation/Open Space)
South: RNP (Rural Neighborhood Preservation)
East: D-R (Desert Rural)
West: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)

D) Existing Zoning

Subject Property: R-E (Rural Estates) [Clark County designation]
North: R-E (Residence Estates)
South: R-E (Rural Estates) [Clark County designation]
East: R-E (Residence Estates)
West: R-E (Rural Estates) [Clark County designation]

E) General Plan Compliance

The subject site is located within Clark County pending an annexation (ANX-4777). Once annexed, the subject site would be located in the Centennial Hills Sector of the General Plan with an RNP (Rural Neighborhood Preservation) and R-E (Residence Estates) land use designation. The proposed R-PD2 (Residential Planned Development – 2 Units per Acre) zoning district is consistent with the proposed General Plan designation.

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

A twenty (20) foot multi-use trail is required south of Iron Mountain Road. The trail is required to have the following components: a five (5) foot transition strip, a ten (10) foot public transportation trail, and a five (5) foot private landscaped corridor. The trail shall be incorporated in the improvements of the south side of Iron Mountain Road and the proposed development.

ANALYSIS

A) Zoning Code Compliance

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
15.79 acres	2.09	1.65	3.45%	0.54 acres	3.3%	0.30 acres

The applicant is requesting a variance from the required .54 acres of 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."

The request for a variance in open space is reasonable, because Phase I has .49 acres more open space than required by Title 18. The applicant states that Phase I was designed with larger areas of open space, therefore smaller areas in Phase II would not be as great a benefit to the project as a whole. If both projects were viewed as one contiguous site, the amount of required open space would be .05 acres.

PLANNING COMMISSION ACTION

There was one speaker in protest and three speakers discussed their concerns with the project at the Planning Commission hearing.

NOTICES MAILED 52 by City Clerk

APPROVALS 0

PROTESTS 1

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-5306 APN: 125-11-507-002, 4 and 125-11-503-001,2

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S Development

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 names(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: _____

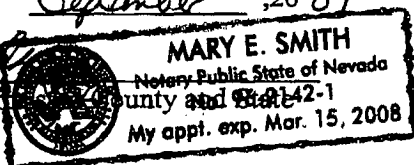
Signature of Property Owner/Authorized Agent:

Print Name:

Subscribed and sworn before me

This 20th day of September, 20 04

Notary Public in and for



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

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

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

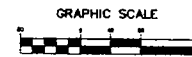
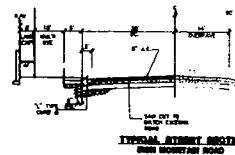
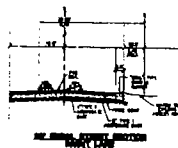
ZONE: COUNTY R-E
USE: EX. SINGLE FAMILY
ON 2.5 ACRES
MPD: RNP

ZONE: COUNTY R-1
USE: VACANT
MPD: RNP

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

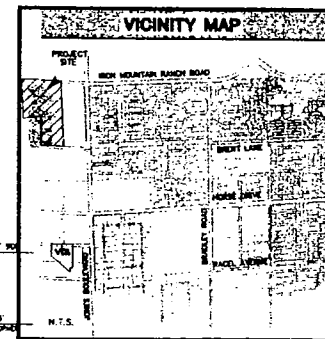
ZONE: COUNTY R-E
USE: VACANT
MPO: RNP

ADDITIONAL LOT AREA
PREVIOUSLY APPROVED IN
PHASE I



~~RECEIVED~~

SEP 21 2004



SITE-DATA

REZONING APPLICATION:

APE NUMBER(S) 129-11-803-DOT, 002 and 129-11-807-002-00A
GROSS AREA 16.2 ACRES
CURRENTLY ZONED R-POD
PROPOSED ZONING R-POD

SITE DEVELOPMENT REVIEW APPLICATION (R-P02)

APE NUMBERS 129-11-803-DOT, 002 and 129-11-807-002-00A
GROSS AREA 16.2 ACRES
CURRENTLY ZONED R-POD
CURRENTLY USED VACANT
PROPOSED ZONING R-POD
PROPOSED USE SFD RESIDENTIAL
CURRENT MASTER PLAN DESIGNATION DESERT RURAL (UP TO 10 ACRE LOTS)

SITE CALCULATIONS

<u>DENSITY CALCULATIONS: PHASE II</u>	
GROSS SITE AREA:	15.78 ACRES
DEVELOPABLE AREA: (Excludes those areas located in the National Wetlands)	14.78 ACRES
PROPOSED NUMBER OF UNITS:	2,100
PROPOSED DENSITY:	2.2 UNITS/ACRE
AVERAGE LOT SIZE	.80 ACRES
<u>LAND USE:</u>	
NET NET LOT AREA	12.17 ACRES
PRIVATE ROADS	.97 ACRES
MAJOR ROADS	1.85 ACRES
RESERVED USE AREA	.76 ACRES
<u>ESTIMATED LANDSCAPE AREA:</u>	
GROSS SITE AREA:	15.78 ACRES

PHASE I OPEN SPACE SCHEDULE	
REQUIRED:	1.0 * 1.05 = 1.05 * GROSS AREA .53 ACRES
PROVIDED:	
USABLE OPEN SPACE:	
PAVED:	
ALLOWABLE EXTERIOR LANDSCAPING:	.30 ACRES
TOTAL:	= .30 ACRES

OVERALL OPEN SPACE SCHEDULE	
NET AREA	DENSITY = 1.63 = 5.0 GROSS AREA 1.00 x 1.63 = 2.75 = 28.75 .99 ACRES
PROMISED:	
USABLE OPEN SPACE:	.81 ACRES
PAVED:	
ALLOWABLE EXTERIOR LANDSCAPING:	.30 ACRES
TOTAL:	= 1.31 ACRES

STERLING S DEVELOPMENT

**PHASE II: SITE PLAN
TO ACCOMPANY
ZONE CHANGE & SITE PLAN REVIEW**

DESIGNED BY:	08/04
DESIGNED BY:	08/04
CHECKED BY:	
PROJECT NO.	SCALE

8P-1
1 of 2 sheets

ZON-5302
VAR-5306
SDR-5304
11-04-04 PC



VAR-5306 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC
SOUTHEAST CORNER OF MAVERICK STREET AND IRON MOUNTAIN ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

**NOTE: THE FOLLOWING DOCUMENTATION
WAS SUBMITTED FOR THE RECORD BEFORE
OR AT THE PLANNING COMMISSION HEARING
ON THIS ITEM WHICH IS NOW APPEARING
BEFORE THE CITY COUNCIL**

Telephone Protest/ Approval Log

Meeting Date: 11-1-04

Case Number: ZON-5302 &
11AR-5306

Date: 11-1-04
Name: MARIAN & TIGNER LATHAM
Address: 6220 IRON MTN. RD.
Phone: 656-2526
☒ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

Date: _____
Name: _____
Address: _____
Phone: _____
☐ PROTEST ☐ APPROVE

READ INTO
THE RECORD 103

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-5203 AND VAR-5306

SDR-5304 - PUBLIC HEARING - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC - Request for a Site Development Plan FOR A PROPOSED 33-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (APN 125-11-507-002, 125-11-507-004, 125-11-503-001 and 002), U (Undeveloped) Zone [R-E (Rural Estates) and RNP (Rural Neighborhood Preservation) General Plan Designations] [PROPOSED: R-PD2 (Residential Planned Development - 2 Units per Acre)], Ward 6 (Mack). The Planning Commission (3-2-2 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and amending Condition 5 as read for the record as follows:

5. Lots 27 and 28 located at the west end of the Aaron Zachary Avenue on the site plan date stamped 09/21/04 shall have only single story structures.
- UNANIMOUS**

MINUTES:

NOTE: See Item 103 [VAR-5306] for all related discussion.
(3:10 - 3:19)
5-69

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. All development shall be in conformance with the site plan and building elevations, date stamped September 21, 2004, except as amended by conditions herein.
3. Landscaping shall be installed on the north side of Brent Lane in a six (6) foot wide planter with 1 - 24" box tree every 30 linear feet on center, plus one (1) additional tree. Four (4), five (5) gallon shrubs shall be planted around each tree.

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

CONDITIONS - Continued:

4. A twenty (20) foot multi-use trail is required south of Iron Mountain Road as indicated on Exhibit 1, Multi-Use Transportation Trail of the Transportation Trails Element of the 2020 Master Plan. The trail is required to have the following components: a five (5) foot transition strip, a ten (10) foot public transportation trail, and a five (5) foot private landscaped corridor. The trail shall be incorporated in the improvements of the south side of Iron Mountain Road and the proposed development.
5. Lots 28 and 33 located at the west end of the southernmost cul-de-sac on the site plan date stamped 09/21/04 shall have only single story structures.
6. The perimeter wall along Maverick Street and the southwest property line down to Brent Lane shall be decorative block, eight feet in height.
7. Street lights shall not be constructed on the interior private streets.
8. The setbacks shall be 16 feet front setback, 20 feet front setbacks to the garage, 20 feet rear setback, five foot side setback and 15 foot corner side setback.

Public Works

9. A Petition of Vacation to vacate Maverick Street and Maggie Avenue must be recorded prior to the recordation of a Final Map for this site. Alternatively appropriate rights-of-way may be dedicated to accommodate this site.
10. 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.
11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON 5302 and all other subsequent site-related actions.
13. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
14. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SDR-5304 - APPLICANT: STERLING S DEVELOPMENT -

OWNER: QUARTERHORSE FALLS ESTATES, LLC

**** CONDITIONS ****

The Planning Commission (3-2-2 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
2. All development shall be in conformance with the site plan and building elevations, date stamped September 21, 2004, except as amended by conditions herein.
3. Landscaping shall be installed on the north side of Brent Lane in a six (6) foot wide planter with 1 - 24" box tree every 30 linear feet on center, plus one (1) additional tree. Four (4), five (5) gallon shrubs shall be planted around each tree.
4. A twenty (20) foot multi-use trail is required south of Iron Mountain Road as indicated on Exhibit 1, Multi-Use Transportation Trail of the Transportation Trails Element of the 2020 Master Plan. The trail is required to have the following components: a five (5) foot transition strip, a ten (10) foot public transportation trail, and a five (5) foot private landscaped corridor. The trail shall be incorporated in the improvements of the south side of Iron Mountain Road and the proposed development.
5. Lots 28 and 33 located at the west end of the southernmost cul-de-sac on the site plan date stamped 09/21/04 shall have only single story structures.
6. The perimeter wall along Maverick Street and the southwest property line down to Brent Lane shall be decorative block, eight feet in height.
7. Street lights shall not be constructed on the interior private streets.
8. The setbacks shall be 16 feet front setback, 20 feet front setbacks to the garage, 20 feet rear setback, five foot side setback and 15 foot corner side setback.

Public Works

9. A Petition of Vacation to vacate Maverick Street and Maggie Avenue must be recorded prior to the recordation of a Final Map for this site. Alternatively appropriate rights-of-way may be dedicated to accommodate this site.

10. 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.
11. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
12. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5302 and all other subsequent site-related actions.
13. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
14. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that non-standard knuckles, including private street/private drive intersections are proposed within this subdivision.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

The applicant is requesting a Site Development Plan Review for a proposed 33-lot single-family residential development on 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain.

B) Applicant's Justification

The applicant states: "This request represents Phase II. Phase I of the Site Development Plan Review was approved by the City Council on 8/18/04 (SDR-4198). The open space variance applies to Phase II only. The overall project has an abundance of open space and would not require a waiver if it were considered as one application. The site was designed with two visible and usable parks located near the entrances within the first phase of the project. This approach was taken rather than providing small segments of decorative space throughout the community".

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 08/18/04 | The City Council approved the request for a Site Development Plan Review (Phase I) for a 29-lot single-family residential subdivision on 18.2 acres adjacent to the southeast corner of Iron Mountain Road and Jones Boulevard (SDR-4198). The Planning Commission recommended approval and staff recommended denial on 7/08/04. |
| 11/03/04 | The City Council approved the request to annex 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (ANX-4777). The Planning Commission and staff recommended approval on 8/26/04. |
| 11/04/04 | The Planning Commission recommended approval of the related Variance (VAR-5306) and Rezoning (ZON-5302) at this meeting. |
| 11/04/04 | The Planning Commission voted 3-2-2 to recommend APPROVAL (PC Agenda Item #50/bts). |

B) Pre-Application Meeting

- | | |
|----------|---|
| 09/01/04 | The elements of a Site Development Plan Review were discussed at the meeting. |
|----------|---|

C) Neighborhood Meetings

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

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Gross Acres: 15.79 acres

B) *Existing Land Use*

Subject Property: Equestrian Facilities
North: Undeveloped
South: Undeveloped
East: Single Family Residential
Undeveloped
West: Single Family Residential

C) *Planned Land Use*

Subject Property: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)
North: PR-OS (Park/Recreation/Open Space)
South: RNP (Rural Neighborhood Preservation)
East: D-R (Desert Rural)
West: RNP (Rural Neighborhood Preservation)
R-E (Residence Estates)

D) *Existing Zoning*

Subject Property: R-E (Rural Estates) [Clark County designation]
North: R-E (Residence Estates)
South: R-E (Rural Estates) [Clark County designation]
East: R-E (Residence Estates)
West: R-E (Rural Estates) [Clark County designation]

E) *General Plan Compliance*

The subject site is located within Clark County pending an annexation (ANX-4777). Once annexed, the subject site would be located in the Centennial Hills Sector of the General Plan with an RNP (Rural Neighborhood Preservation) and R-E (Residence Estates) land use designation. The proposed R-PD2 (Residential Planned Development – 2 Units per Acre) zoning district is consistent with the proposed General Plan designation.

PROJECT DESCRIPTION

The site plan depicts 33 single-family residential lots on the 15.79-acre site, resulting in a density of 2.09 dwelling units per acre. These lots will be served by 39-foot wide private drives that will have access to two 51-foot wide gated entries that serve the development from entrances on Jones Boulevard and Iron Mountain Road. These lots average approximately 21,780 square feet in size.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Proposed
Min. Lot Size	21,780 Feet
Min. Lot Width	120 Feet
Min. Setbacks	
• Front (Garage)	20 Feet
• Front (Living Area)	16 Feet
• Side	5 Feet
• Corner	15 Feet
• Rear	20 Feet

These standards are appropriate for this type and scale of development, given the amount and location of open space provided on the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	Units	Ratio	Required		Provided	
			Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single Family, Detached	33	2 spaces/unit	66	none	66	none

The project as proposed meets the parking requirements of Title 19.

A Petition of Vacation to vacate Maverick Street and Maggie Avenue must be recorded prior to the recordation of a Final Map for this site. Alternative appropriate rights-of-way may be dedicated to accommodate this site.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Buffer:			
• Min. Trees	1 Tree/ 30 Linear Feet along Iron Mountain Road and Brent Lane	33 Trees	42 Trees
• Min. Zone Width	20 Feet		20 Feet along Iron Mountain Road
• Wall height	6 Feet		6 Feet

Perimeter landscaping is required along Brent Lane, which is referenced in condition number four (4). Additionally, a multi-use trail is required south of Iron Mountain Road as indicated in condition four (4).

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
15.79 acres	2.09	1.65	3.45%	0.54 acres	3.3%	0.30 acres

A Variance is a companion item associated with this Site Development Plan Review (VAR-5306). The request for a variance is to allow zero acres of open space where 0.54 acres is required.

B) General Analysis and Discussion

- Zoning

The site is currently zoned R-E (Rural Estates). Companion Rezoning and Variance requests would, if approved, rezone the subject property to R-PD2 (Residential Planned Development - 2 Units per Acre) in order to allow the project as proposed to be developed. This proposed zoning district is compatible with the intended R-E (Residential Estates) General Plan designation for the site, which allows a density of up to 2 dwelling units per acre (ZON-5302) and (VAR-5306). The proposed development is compatible with proposed land use designations and adjacent low-density development, most of which is zoned and developed at 0-2 units per acre.

- Site Plan

The site plan meets standards with respect to density based on current General Plan land use designation and to the proposed zoning district. The development proposed for this site is compatible with the established development pattern of lots surrounding it.

- Waivers

No Waivers have been requested as part of this application, nor are any required.

- Landscape Plan

The conceptual landscape plan indicates that a variety of landscaping will be provided along a the multi-use trail, which is south Iron Mountain Road. The majority of the landscaping is located throughout Phase I.

- Elevation

The proposed elevations depict five models, which consist of both one and two-story products. The units will vary between 17 and 26 feet in height. Visual interest is promoted by variation in rooflines, architectural details and façade materials.

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 single-family residential development is similar to other residential developments in the surrounding area. It is adjacent to existing low-density residential development to the east.

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

The proposed development is consistent with the General Plan, and is substantially consistent with Title 19 and the Centennial Hills Sector Interlocal Land Use Plan.

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

The site abuts Iron Mountain Road, a Secondary Collector (80-foot wide) street, and Jones Boulevard, a Primary Arterial (90-foot wide) street, according to the Master Plan of Streets and Highways. The subdivision would have access to both Iron Mountain Road and Jones Boulevard. The streets are adequate to handle the traffic from this development.

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

The residences are similar in size and appearance to abutting single-family homes to the south, and are, therefore, appropriate for the area. The landscaping proposed will enhance the appearance of the development.

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

The proposed elevations are harmonious and compatible with development in the area and are not undesirable in appearance.

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

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

PLANNING COMMISSION ACTION

Conditions #5-8 were added by the Planning Commission as contained herein.

NOTICES MAILED 39 by Planning Department

APPROVALS 0

PROTESTS 1



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5304 APN: 125-11-507-002, 4 and 125-11-503-001,2

Name of Property Owner: Quarterhorse Falls Estates LLC

Name of Applicant: Sterling S Development

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 names(s) of the person or persons with whom the city Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official:

Partner(s) _____

APN: _____

Signature of Property Owner/Authorized Agent: Joseph Shatt

Print Name: John Michael Stratton

Subscribed and sworn before me

This 20 day of September, 20 04

M. E. Sk

Notary Public in and for said

Notary Public in and for said County and State of Nevada
 **MARY E. SMITH**
 Notary Public State of Nevada
 No. 96-2142-1
 My appt. exp. Mar. 15, 2008

ZONE: RPD-3
USE: VACANT
MPD: LOW - 5.5 DU/AC

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

JONES BLVD

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

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

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

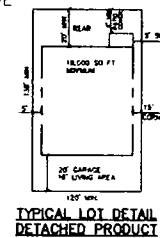
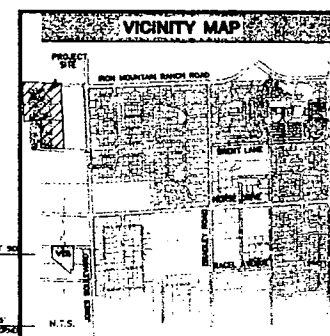
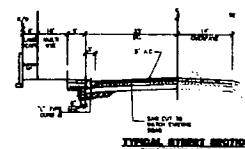
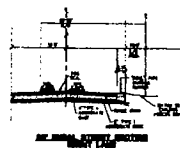
ZONE: COUNTY R-E
USE: VACANT
MPD: RNP

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

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

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

ADDITIONAL LOT AREA
PREVIOUSLY APPROVED IN
PHASE I



SITE DATA

REZONING APPLICATION:

APR NUMBER: 125-11-003-001, 002 and 125-11-003-003, 004

ORDER AREA: 18.78 ACRES

CURRENT ZONING: R-E

PROPOSED ZONING: R-E

SITE DEVELOPMENT REVIEW APPLICATION (R-002):

APR NUMBER: 125-11-003-001, 002 and 125-11-003-003, 004

ORDER AREA: 18.78 ACRES

CURRENT ZONING: VACANT

PROPOSED ZONING: R-E

CURRENT MASTER PLAN DESIGNATION: DENSITY RURAL (UP TO 2.5 DU/AC)

SITE CALCULATIONS

DENSITY CALCULATIONS - PHASE I

ORDER SITE AREA: 18.78 ACRES

ORDER SITE AREA: 18.78 ACRES

PROPOSED NUMBER OF LOTS: 33

PROPOSED DENSITY: 2.5 DU/AC

AVOIDANCE LOT SIZE: 80 ACRES

LAND USE:

NET LOT AREA: 18.78 ACRES

PRIVATE ROAD: 1.57 ACRES

MAJOR ROAD: .75 ACRES

RESERVED USE AREA: .30 ACRES

EXTENDED LANDSCAPE AREA: .30 ACRES

ORDER SITE AREA: 18.78 ACRES

OVERALL:

ORDER SITE AREA: 18.78 ACRES

ORDER DENSITY: 2.5 DU/AC

PHASE II OPEN SPACE SCHEDULE

REQUIRED: 2.0 * 1.88 = 3.76 * GROSS AREA

PROVIDED: .30 ACRES

AVAILABLE OPEN SPACE: .30 ACRES

PERIOD: .30 ACRES

ALLOWABLE EXTERIOR LANDSCAPING: .30 ACRES

TOTAL: .30 ACRES

PHASE II OVERALL OPEN SPACE SCHEDULE

REQUIRED: DENSITY * 1.88 = 3.76 * GROSS AREA

PROVIDED: .30 ACRES

AVAILABLE OPEN SPACE: .30 ACRES

PERIOD: .30 ACRES

ALLOWABLE EXTERIOR LANDSCAPING: .30 ACRES

TOTAL: .30 ACRES



STERLING 3 DEVELOPMENT

PHASE II SITE PLAN
TO ACCOMPANY
ZONE CHANGE & SITE PLAN REVIEW

IRON MOUNTAIN - JONES

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO: [Number]
SCALE: AS SHOWN

SHEET
SP-1
1 OF 2 SHEETS
DRAWING NO.

CITY OF LAS VEGAS

2727 SOUTH RANCHO BOULEVARD, LAS VEGAS, NEVADA 89146-2116
PH: (702) 923-7300 FAX: (702) 921-2987
WWW.LASVEGASNV.GOV

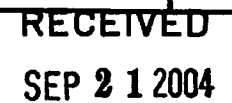
IRON MOUNTAIN - JONES

DESIGNED BY: [Signature]
CHECKED BY: [Signature]
PROJECT NO: [Number]
SCALE: AS SHOWN

SHEET
SP-1
1 OF 2 SHEETS
DRAWING NO.

ZON-5302
VAR-5306
SDR-5304
11-04-04 PC

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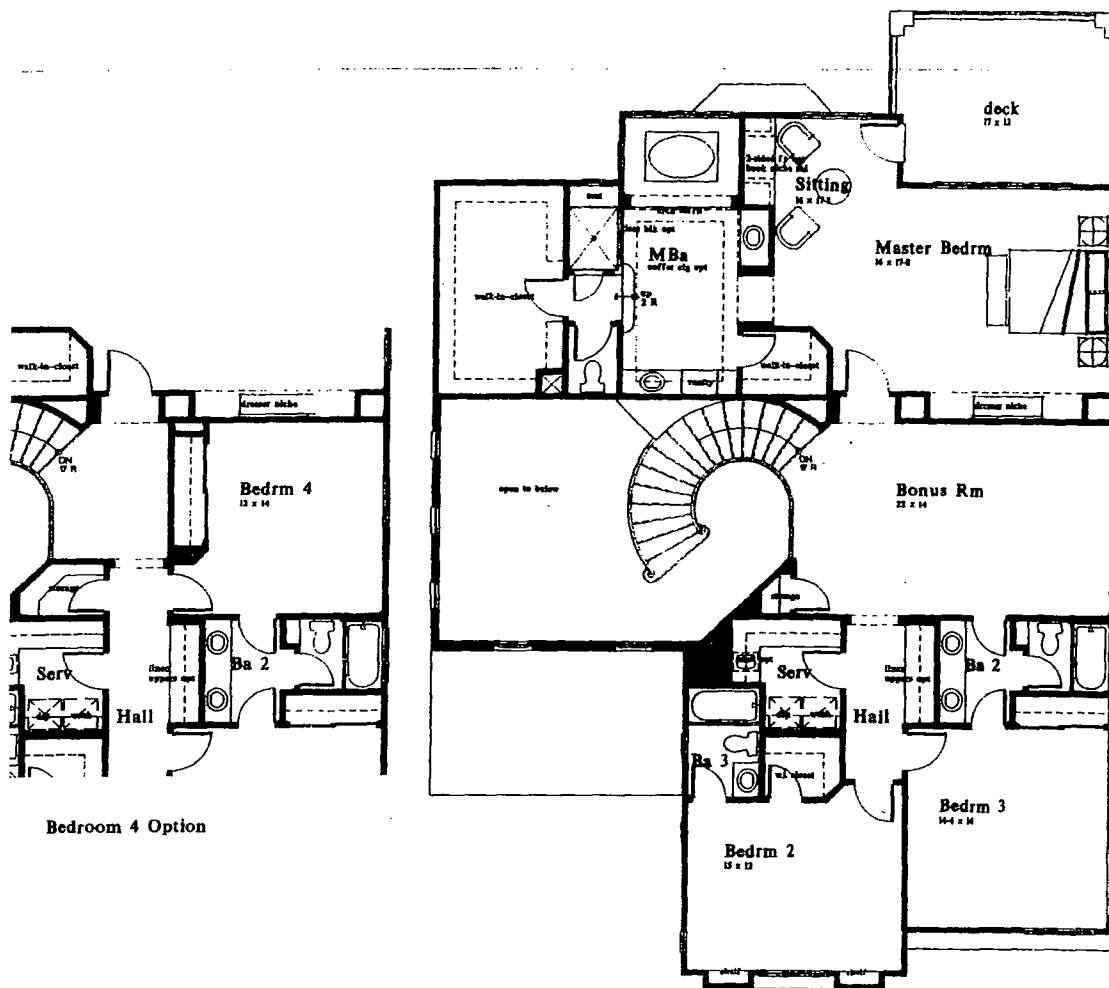


Sterling S

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ARCHITECTURE PLANNING
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IRVINE, CALIFORNIA 92614
(949) 991-2199 FAX (949) 991-0190
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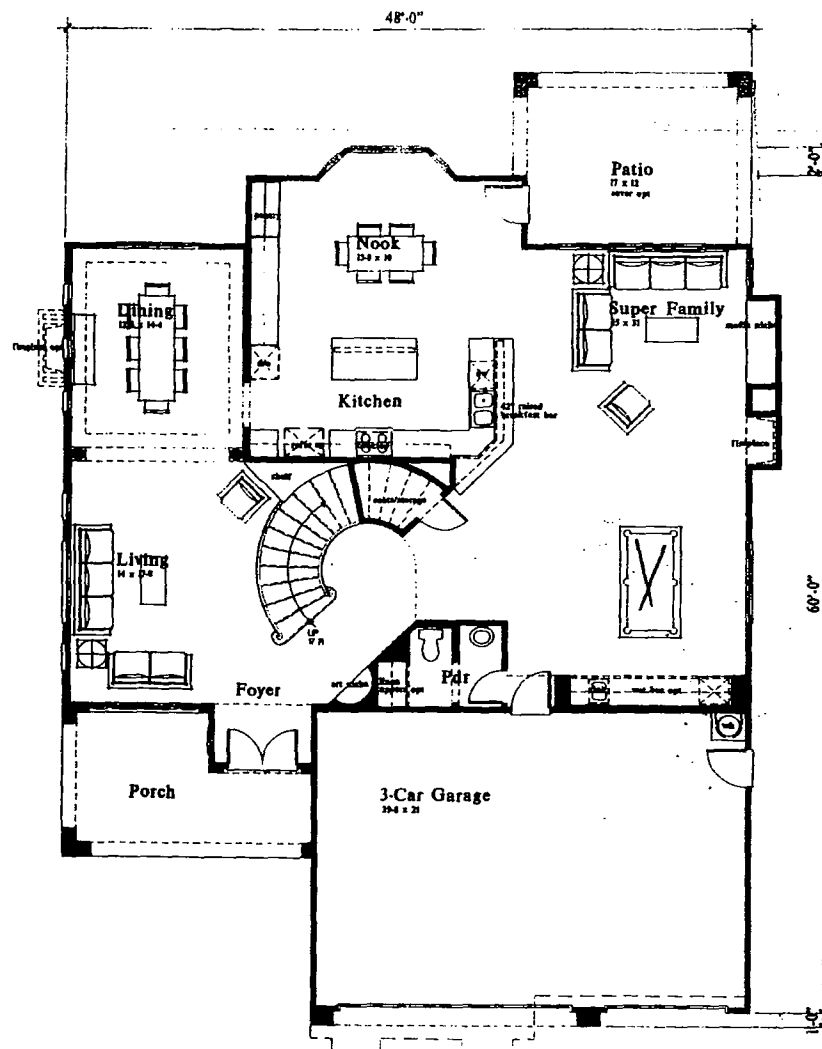
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VAR-5306
SDR-5304
11-04-04 PC

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Bedroom 4 Option

Second Floor Plan 3
First Floor: 1,965 sqft Total: 3,738 sqft



First Floor Plan 3
First Floor: 1,773 sqft Total: 1,738 sqft

Conceptual Floor Plan 3 - 3,738 sqft Quarterhorse Estates I

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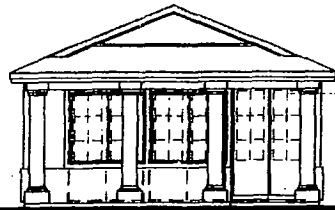
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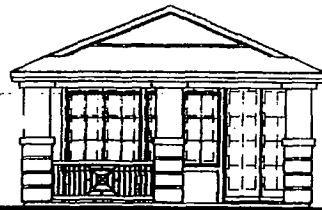
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VAR-5306
SDR-5304
11-04-04 PC

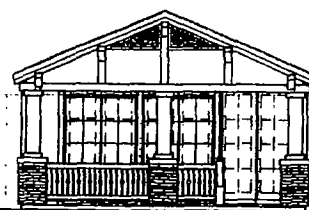
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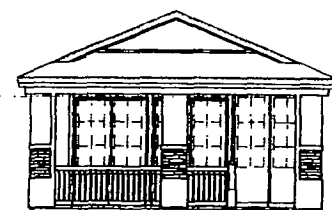
Guest House/ Home Office
1A



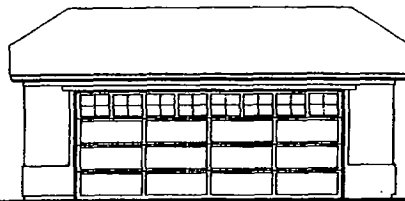
Guest House/ Home Office
1B



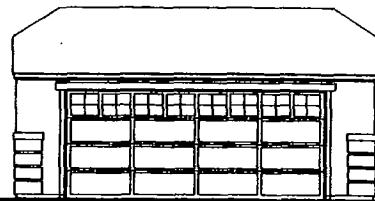
Guest House/ Home Office
1C



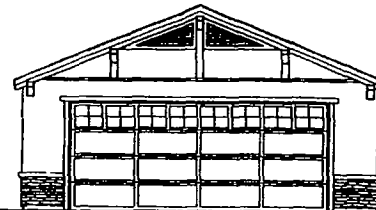
Guest House/ Home Office
1D



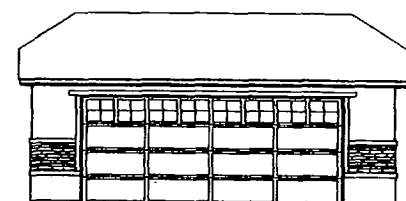
2 - Car Garage
2A



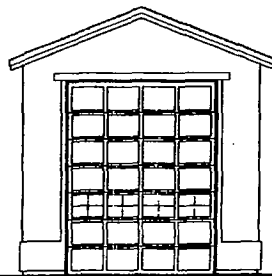
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2B



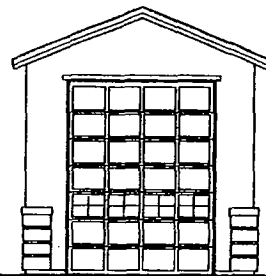
2 - Car Garage
2C



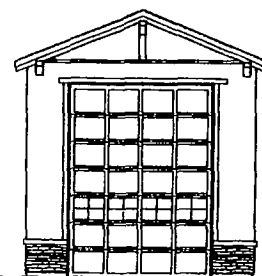
2 - Car Garage
2D



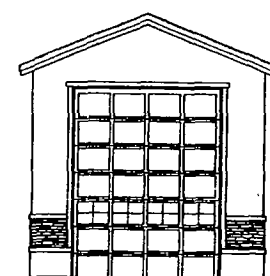
RV Garage
3A



RV Garage
3B



RV Garage
3C



RV Garage
3D

Conceptual Casita Elevation
Quarterhorse Estates I
Las Vegas, Nevada

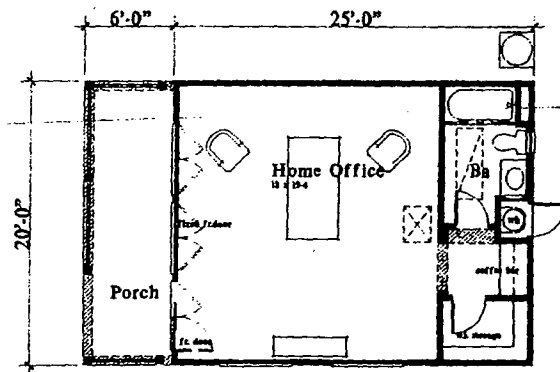
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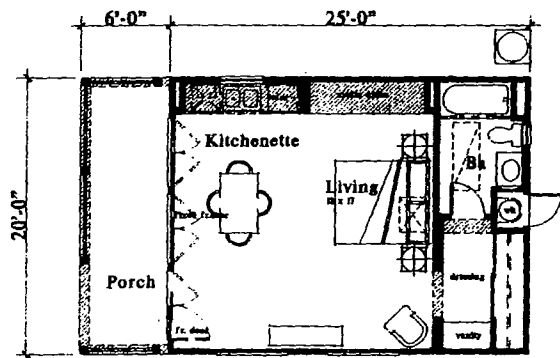
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ZON-5302
VAR-5306
SDR-5304
11-04-04 PC

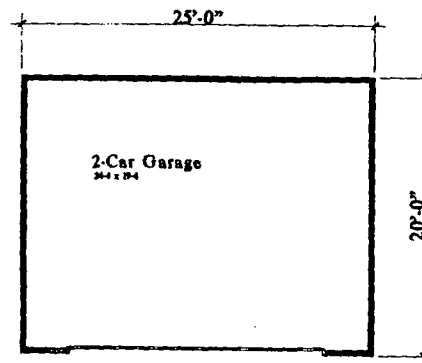
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SEP 21 2004



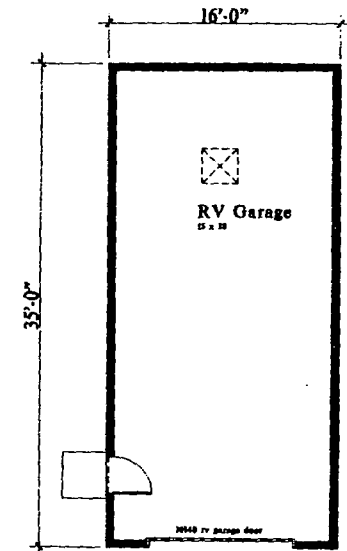
Home Office Floor Plan
Total: 500 sqft



1-Story Guest House Floor Plan
Total: 500 sqft



2-Car Garage
Total: 500 sqft

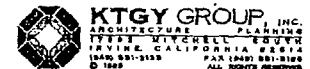


RV Garage
Total: 640 sqft

Conceptual Casita Floor Plan
Quarterhorse Estates I
Las Vegas, Nevada

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KTGY NO. 2003-757



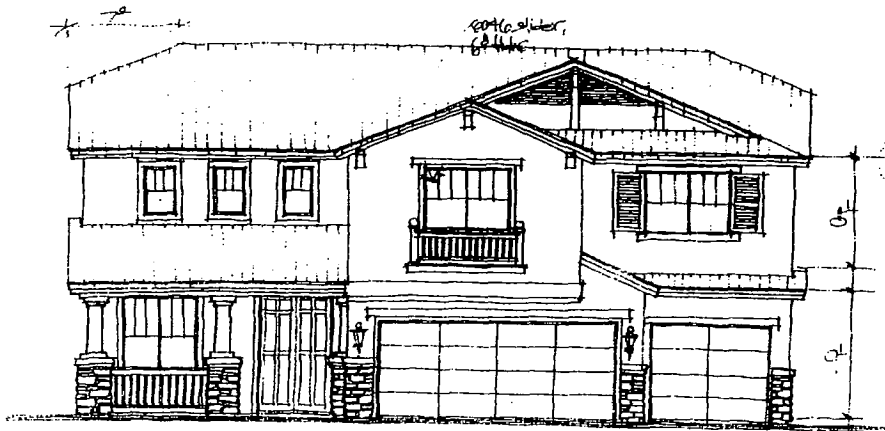
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VAR-5306
SDR-5304
11-04-04 PC

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3B



3C

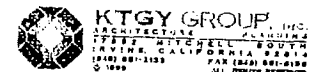


3D

Sterling S

KTGY NO. 2003-757

Conceptual Front Elevations - Plan 3
Quarterhorse Estates I
 Las Vegas, Nevada

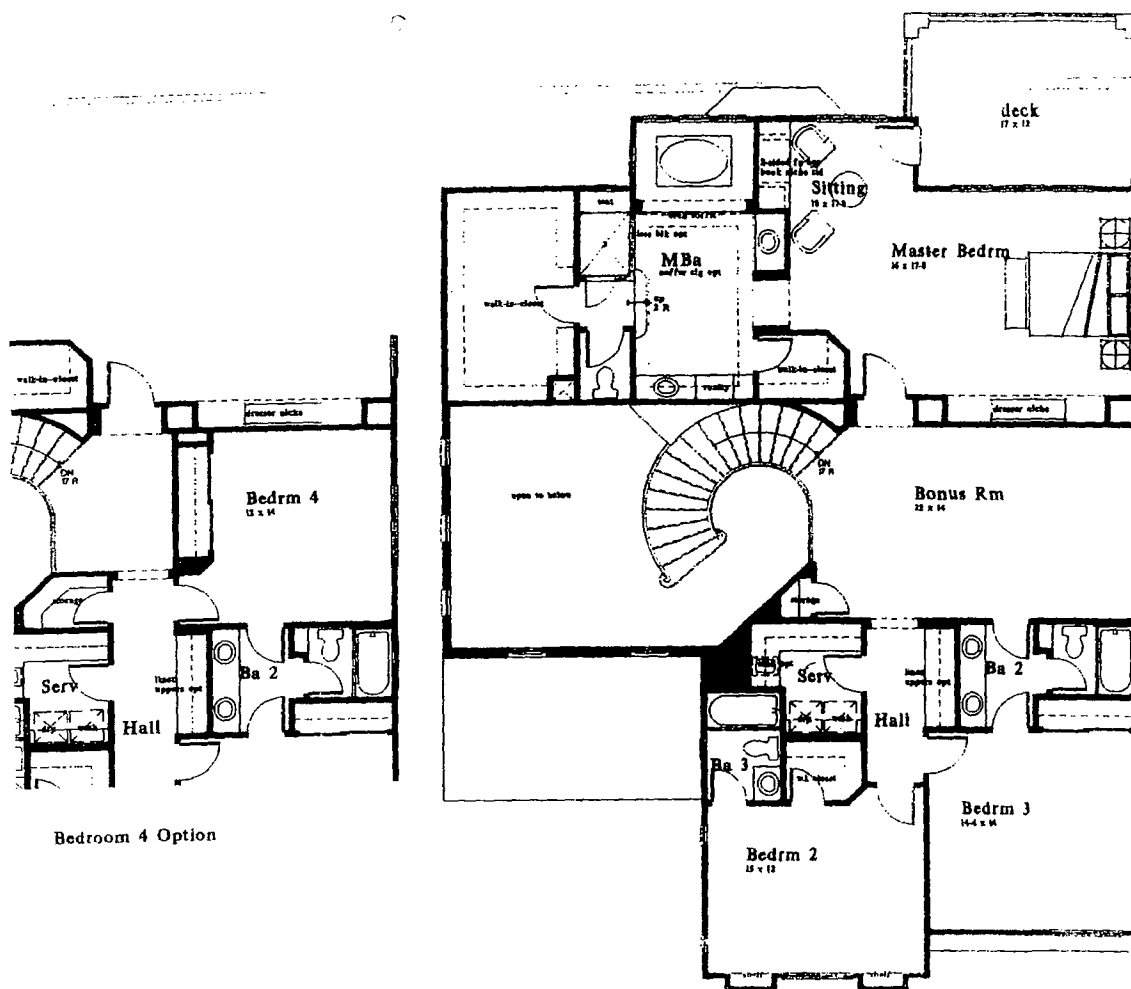


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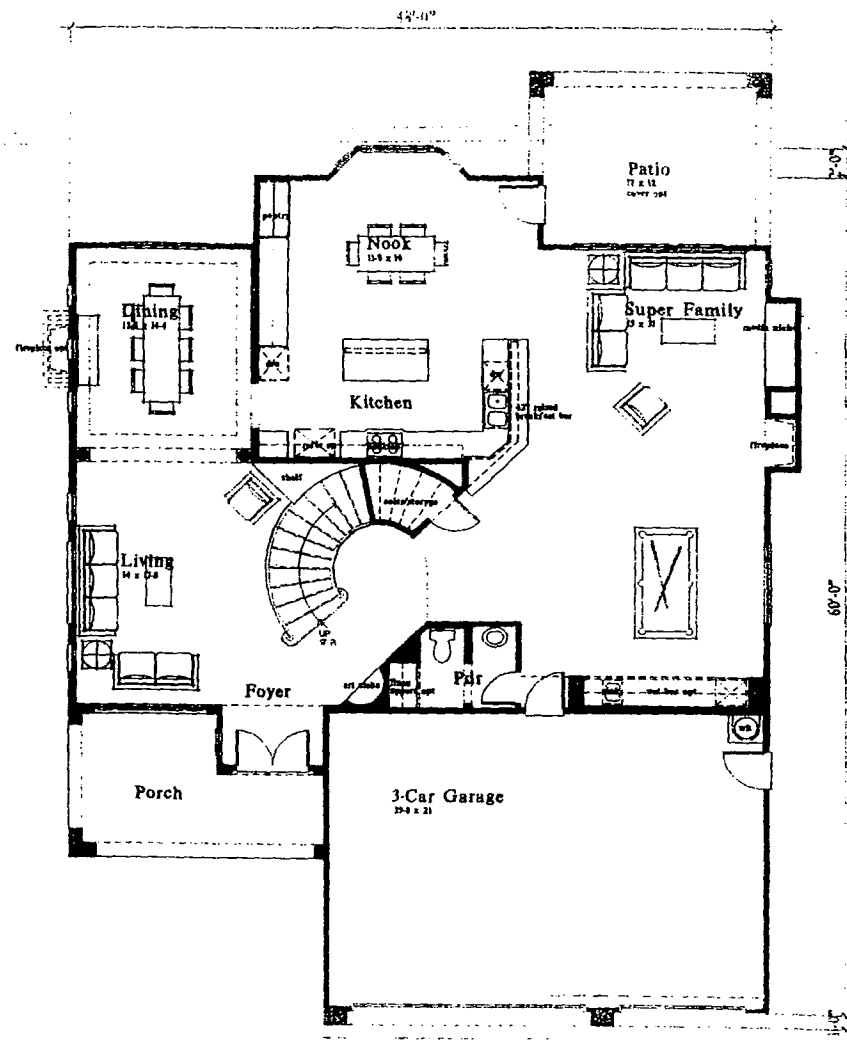
SEP 21 2004

ZON-5302
 VAR-5306
 SDR-5304
 11-04-04 PC

5 1/02/04



Second Floor Plan 3
First Floor: 1,295 sqft Total: 3,718 sqft

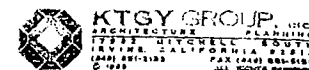


First Floor Plan 3
First Floor: 1,713 sqft Total: 3,738 sqft

Conceptual Floor Plan 3 - 3,738 sqft
Quarterhorse Estates I
Las Vegas, Nevada

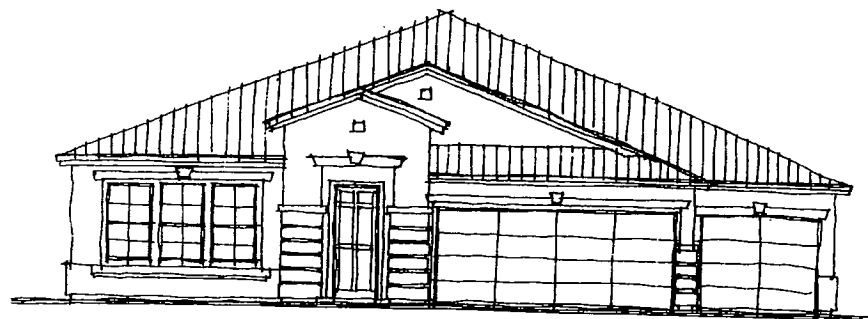
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**ZON-5302
VAR-5306
SDR-5304
11-04-04 PC**

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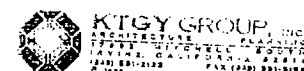


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KTGY NO. 2003-757

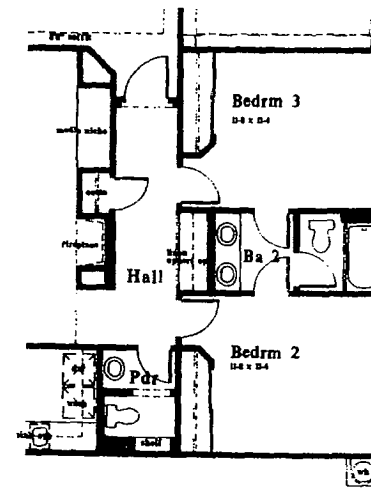
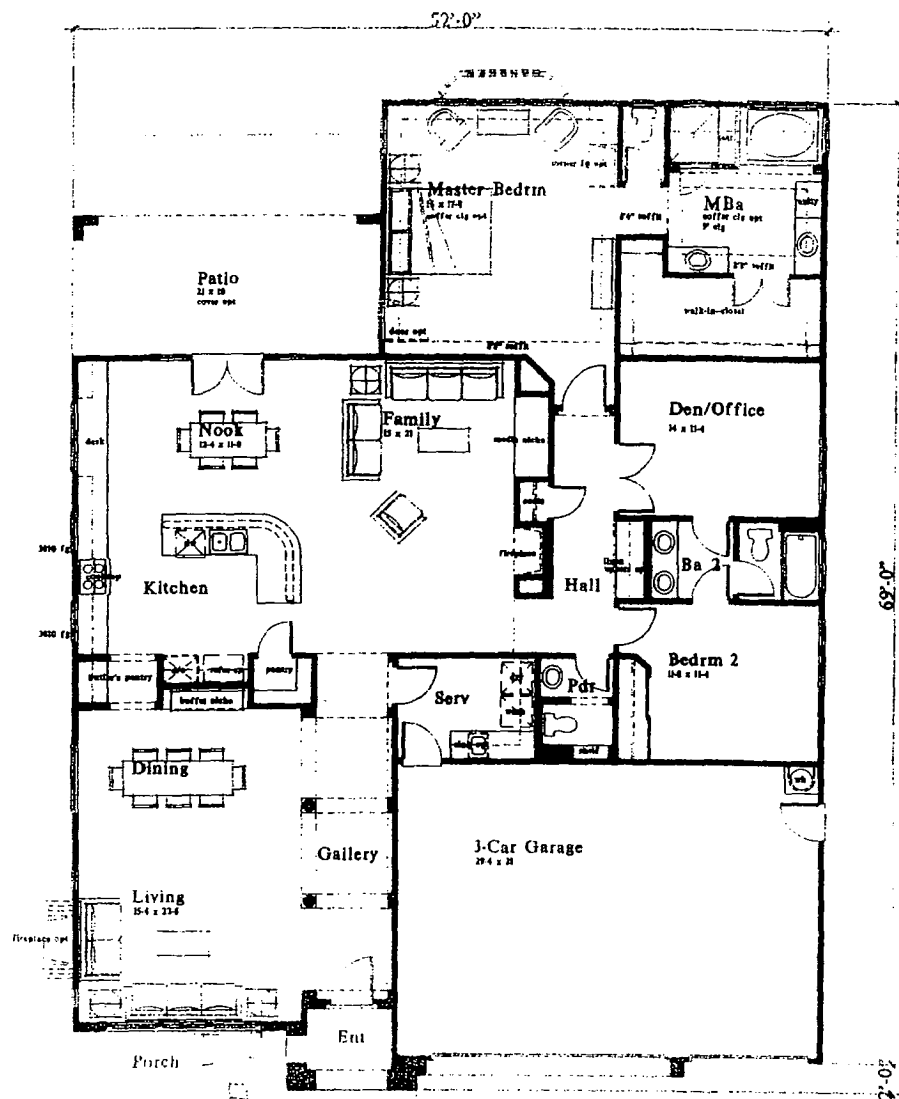
Conceptual Front Elevations - Plan 1
 Quarterhorse Estates I
 Las Vegas, Nevada



1/05/04

ZON-5302
 VAR-5306
 SDR-5304
 11-04-04 PC

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Bedroom 3 Std Condition

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2003-757

Conceptual Floor Plan 1 - 2,518 sqft
Quarterhorse Estates I
Las Vegas, Nevada

Quarterhorse Estates I

Las Vegas, Nevada



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1/65/01

ZON-5302
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11-04-04 PC

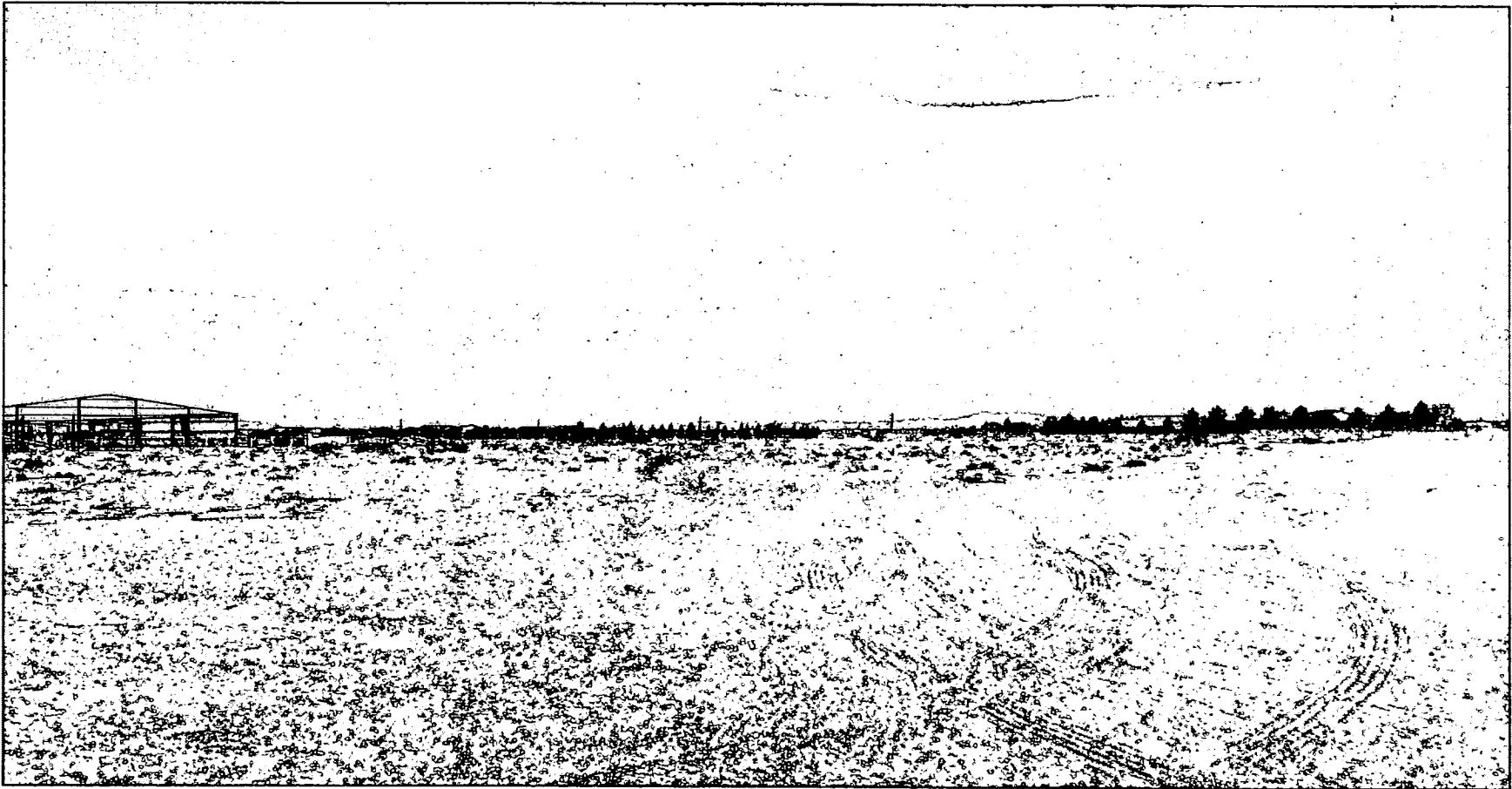
VAR-5306

SDR-5304

11-04-04 PC

RECEIVED

SEP 21 2004



SDR-5304 - APPLICANT: STERLING S DEVELOPMENT - OWNER: QUARTERHORSE FALLS ESTATES, LLC
SOUTHEAST CORNER OF MAVERICK STREET AND IRON MOUNTAIN ROAD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:
REZONING

ZON-4216 - TABLED ITEM - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Request for a Rezoning FROM: U (Undeveloped) [TC (Town Center) General Plan Designation] TO: T-C (Town Center) on 17.66 acres adjacent to the northwest corner of Deer Springs Way and Fort Apache Road (APN 125-19-602-001, 003 thru 011), Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 105 [ZON-4216], Item 106 [ZON-5313], Item 107 [VAC-4218] and Item 108 [SDR-5317].

TODD STADUM, 5740 South Arville, appeared on behalf of the applicant and concurred with staff conditions.

CHARLES BRUFER, Longhorn Falls Court, stated he recently moved from New York and indicated this particular area lacks a playground for children and pets. Currently, children play in the cul-de-sac, but this is not an appropriate place for children to play. He asked that a small park be built on Chieftain Street on the southeast portion of the property.

COUNCILMAN MACK informed MR. BRUFER that a park is being planned at Mountain Ridge with barbeque areas, as well as a dog park. In addition, other parks are planned for the other side of the freeway. He asked MR. BRUFER to call his staff who will explain the locations of those parks.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed on Item 105 [ZON-4216], Item 106 [ZON-5313], Item 107 [VAC-4218] and Item 108 [SDR-5317].

(3:19 - 3:25)

5-350

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

CONDITIONS:

Planning and Development

1. Approval of Site Development Plan Review (SDR-4220) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way where no right-of-way currently exists, 50 feet for Fort Apache Road where no right of way currently exists and a 54-foot radius corner at the northwest corner of Fort Apache Road and Deer Springs Way. Additional dedications in accordance with Standard Drawing #234.1 or #234.3 for a bus stop turn out shall also be provided on Deer Springs Way.
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain 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. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. 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-4216

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

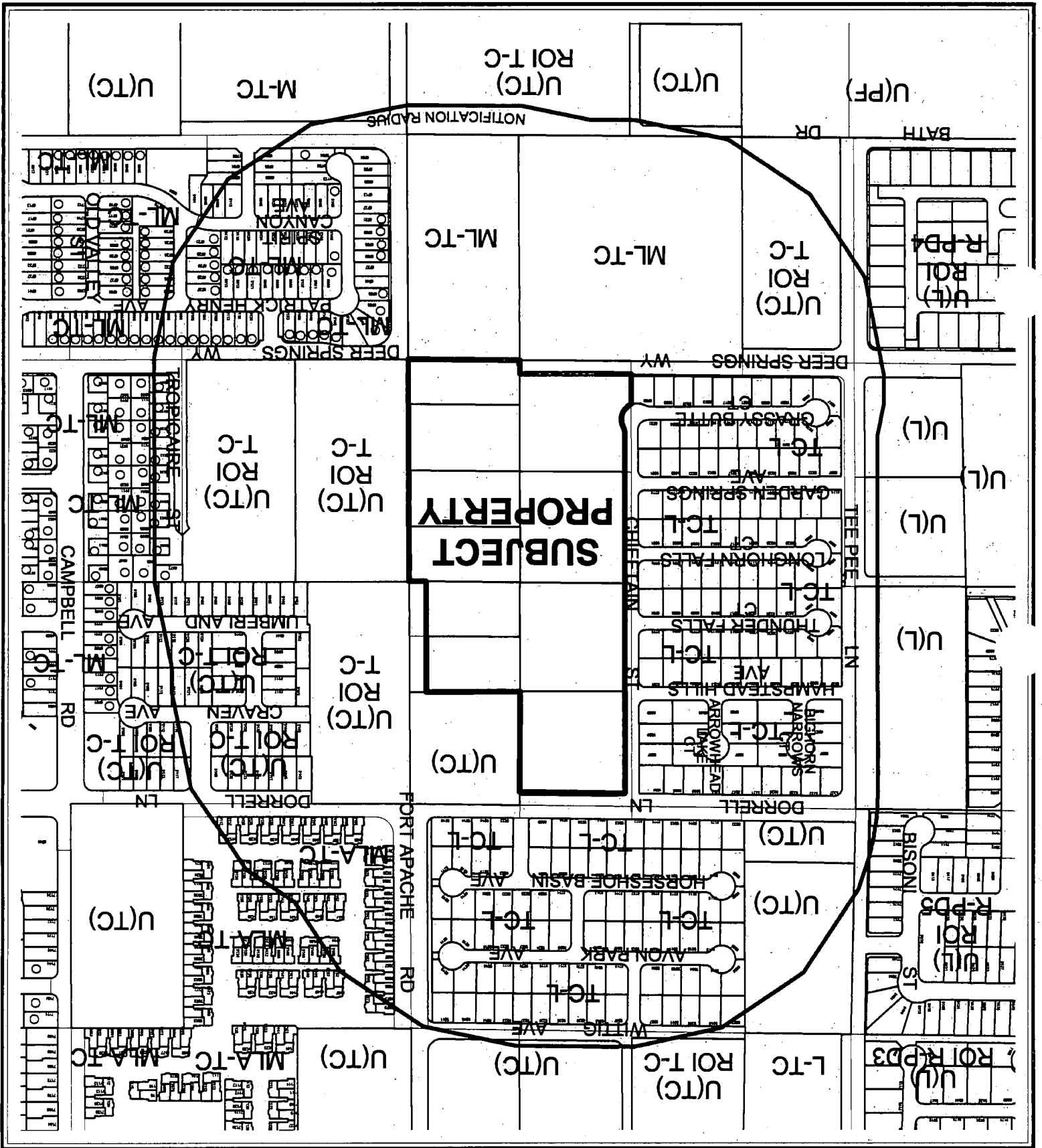
PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

105



0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: Tabled Item - ZON-4216 - APPLICANT/OWNER:
PARDEE HOMES OF NEVADA**

THIS ITEM WAS TABLED AT THE SEPTEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST SO THAT AN ADDITIONAL PARCEL OF LAND COULD BE INCLUDED.

**** CONDITIONS ****

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

Planning and Development

1. Approval of Site Development Plan Review (SDR-4220) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.
2. This Rezoning request shall go direct to Ordinance.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way where no right-of-way currently exists, 50 feet for Fort Apache Road where no right-of-way currently exists and a 54-foot radius corner at the northwest corner of Fort Apache Road and Deer Springs Way. Additional dedications in accordance with Standard Drawing #234.1 or #234.3 for a bus stop turn out shall also be provided on Deer Springs Way.
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain 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. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center), on approximately 17.66 acres located at the northwest corner of Deer Springs Way and Fort Apache Road.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Rezoning will implement Centennial Hills Town Center policy to have all land in the Town Center area zoned as T-C (Town Center).

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Petition to Annex property (A-0003-99) generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 619 acres, including a portion of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval on 03/25/99.
- 07/05/01 The City Council approved a request for a Rezoning (Z-0034-01) from U (Undeveloped) [L-TC (Low Residential) General Plan Designation] to T-C (Town Center) on 69.6 acres located within an area bound by the Farm Road alignment on the north, the Tee Pee Lane alignment on the west, the Fort Apache Road alignment on the east, and approximately 660 feet south of the Deer Springs Way alignment on the south, including a portion of the subject site. The Planning Commission and staff recommended approval of all applications on 05/24/01.
- 02/05/03 The City Council approved a Petition to Annex undeveloped property (A-0038-02) located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including a portion of the subject site. The Planning Commission and staff recommended approval on 10/24/02. The effective date was 02/14/03.

- 05/13/04 The Planning Commission held this item and companion items VAC-4218 and SDR-4220 in abeyance to the 6/10/04 PC Meeting at the request of the applicant as additional land is being purchased that would complete the project assemblage.
- 06/10/04 The Planning Commission held this item in abeyance to the 08/12/04 PC Meeting to allow the applicant time to obtain additional land that would complete the project assemblage.
- 08/12/04 The Planning Commission recommended approval of companion applications for a Vacation of Government Patent Easements (VAC-4218) and a Site Development Plan Review for 92 single-family lots (SDR-4220) on the subject site concurrently with this request.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #39/gl).
- 09/15/04 The City Council voted to table this item along with the related Site Development Plan Review and Vacation. The applicant needed to submit additional applications to include a portion of land recently obtained.
- 11/04/04 The Planning Commission recommended approval of related items that were submitted to include additional land (ZON-5313 and SDR-5317).

B) Pre-Application Meeting

- 03/15/04 At the pre-application meeting, three sites, including this site, which form part of the Pardee Homes Town Center assemblage, were discussed. The applicant was advised of the various application requirements necessary to develop single-family homes, as proposed by the applicant, on these parcels.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 17.66
Net Acres: 12.18

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
under Resolution of Intent to T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density Residential - Town Center). This designation has a density range of 3.5 to 5.5 units per acre, and is intended for single-family detached homes as well as more imaginative residential development which puts an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the L-TC (Low Density Residential - Town Center) special land use designation.

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

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation Trail along the west side of Fort Apache Road, adjacent to the site, which is a wider section than the Primary Arterial Trail on the east side of the street. The site plan, as proposed, meets these trails standards.

Fort Apache Road, on the east boundary of the site, will be developed as a Town Center Primary Arterial (100 feet), which also has a 15-foot median. The street section shown on the site plan does not identify this median. A condition of approval in the companion Site Development Plan Review will require that this improvement will need to be reflected on the proposed site plan.

FINDINGS

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

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

The subject site is designated L-TC (Low Density Residential - Town Center) on Map 4 of the Town Center Development Standards Manual. This category allows a residential density range of 3.5 to 5.5 units per gross acre. The requested Rezoning to T-C (Town Center) is consistent with this land use designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The proposed T-C (Town Center) zoning district allows for a wide range of uses, including the proposed residential development on the subject site. The density of the proposed use, as indicated in companion Site Development Plan Review (SDR-4220) is within the stated density range of the current L-TC (Low Density Residential - Town Center) land use designation. The proposed development will be consistent with the density of the adjacent single-family residential development to the north, and is consistent with the L-TC designation that applies to surrounding undeveloped properties.

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

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

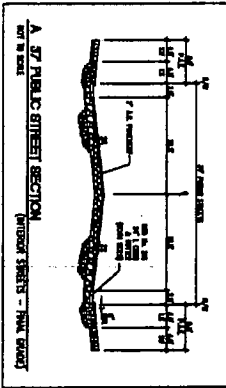
4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The site is adjacent to Deer Springs Way (a Town Center Arterial [80-foot]/ Secondary Collector) to the south, and to Fort Apache Road (a Town Center Primary [100-foot] Arterial) to the east. Dorrell Lane, a Town Center Residential Collector, is located to the north of the site. These streets will be adequate to provide access to the subject site for the density of development that will be allowed under the proposed T-C (Town Center) zoning district.

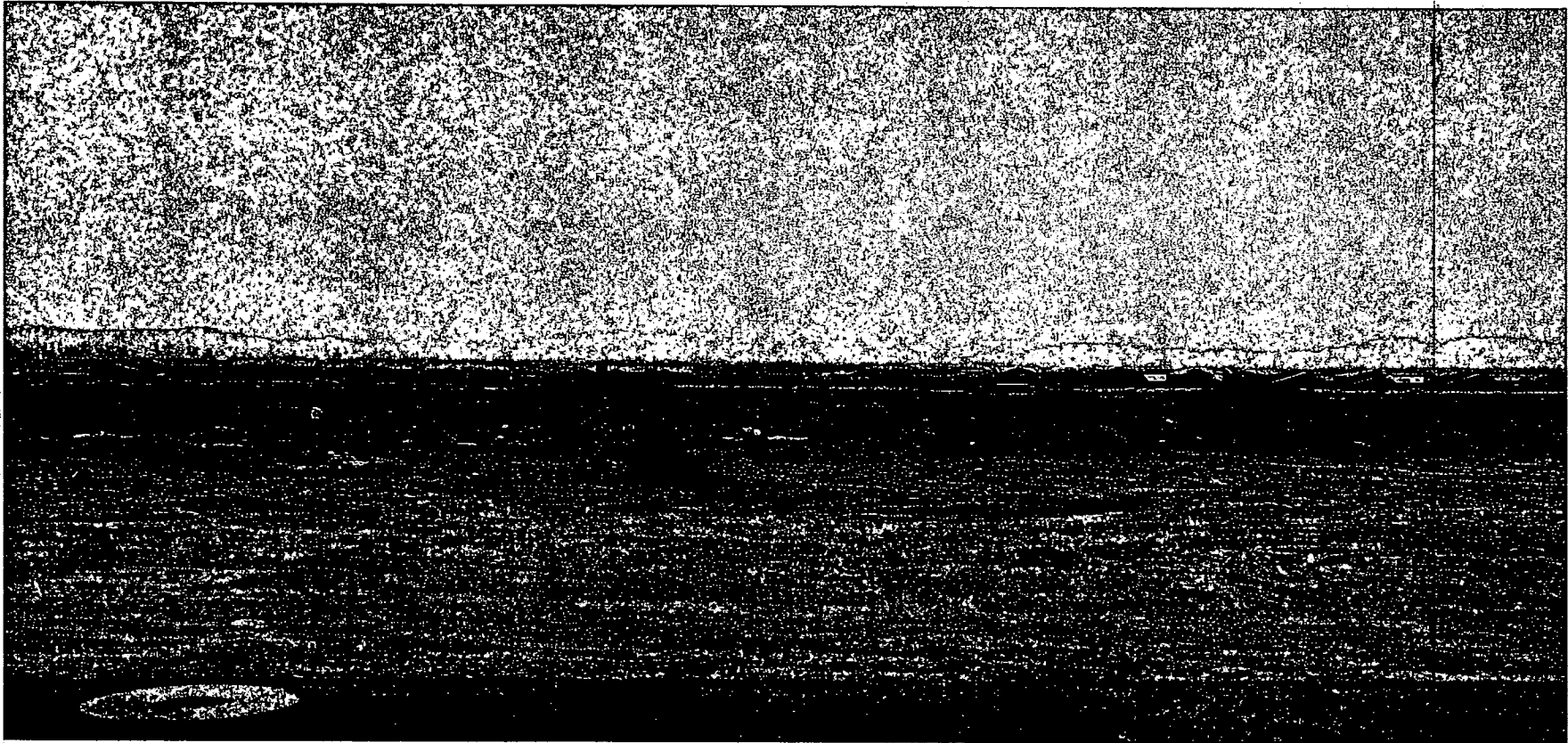
NOTICES MAILED 62 by Planning Department

APPROVALS 0

PROTESTS 0



C-1



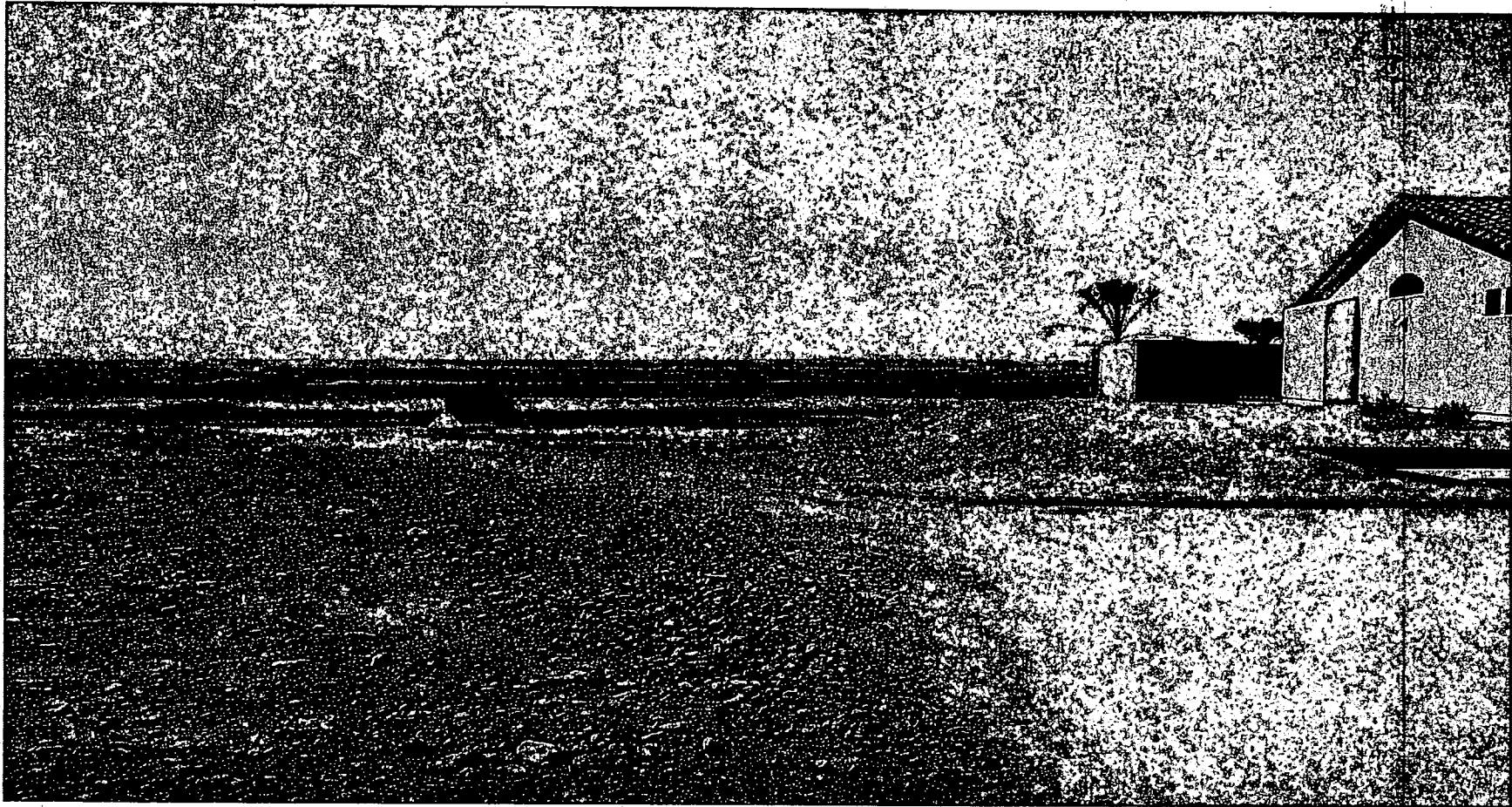
**ZON-4216 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
ADJACENT TO THE NORTHWEST CORNER OF DEER SPRINGS WAY AND FORT APACHE ROAD
AUGUST 12, 2004 PLANNING COMMISSION**

4/26/04



**ZON-4216 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
ADJACENT TO THE NORTHWEST CORNER OF DEER SPRINGS WAY AND FORT APACHE ROAD
AUGUST 12, 2004 PLANNING COMMISSION**

4/26/04



**ZON-4216 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
ADJACENT TO THE NORTHWEST CORNER OF DEER SPRINGS WAY AND FORT APACHE ROAD
AUGUST 12, 2004 PLANNING COMMISSION**

4/26/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REZONING RELATED TO ZON-4216

ZON-5313 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER)] [L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION] TO: T-C (TOWN CENTER)] on 2.50 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-002), Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

0

City Council Meeting

0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 105 [ZON-4216] for all related discussion.

(3:19 - 3:25)

5-350

CONDITIONS:

Planning and Development

1. This Rezoning request shall go direct to Ordinance.

2. Approval of Site Development Plan Review (SDR-5317) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road where no right-of-way currently exists, 40 feet for Dorrell Lane where no right of way currently exists and a 25 foot radius corner at the southwest corner of Fort Apache Road and Dorrell Lane.

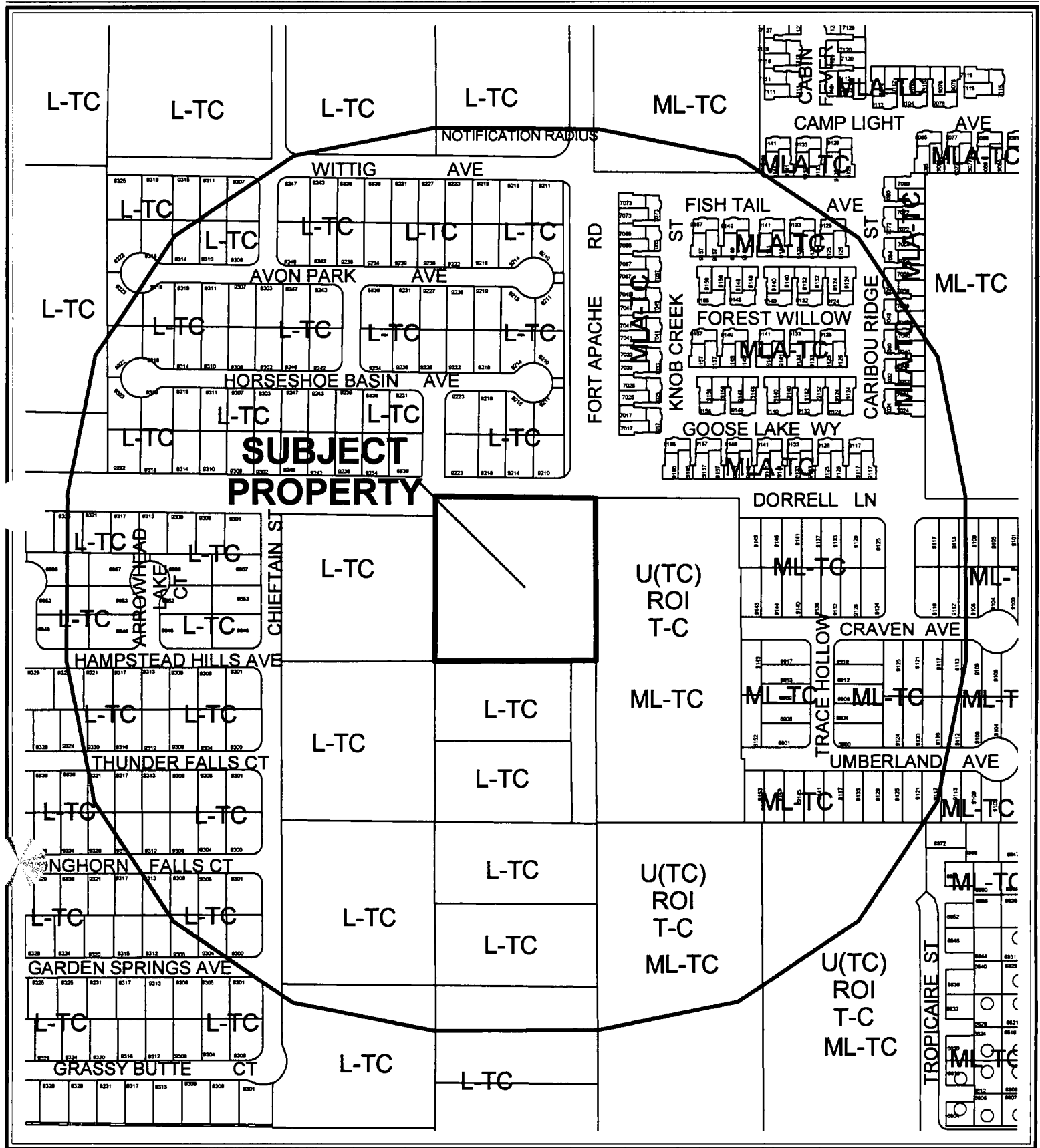
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain Street adjacent to this site concurrent with development. Install all

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

CONDITIONS - Continued:

appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

5. 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-5313

RADIUS: 750 FT

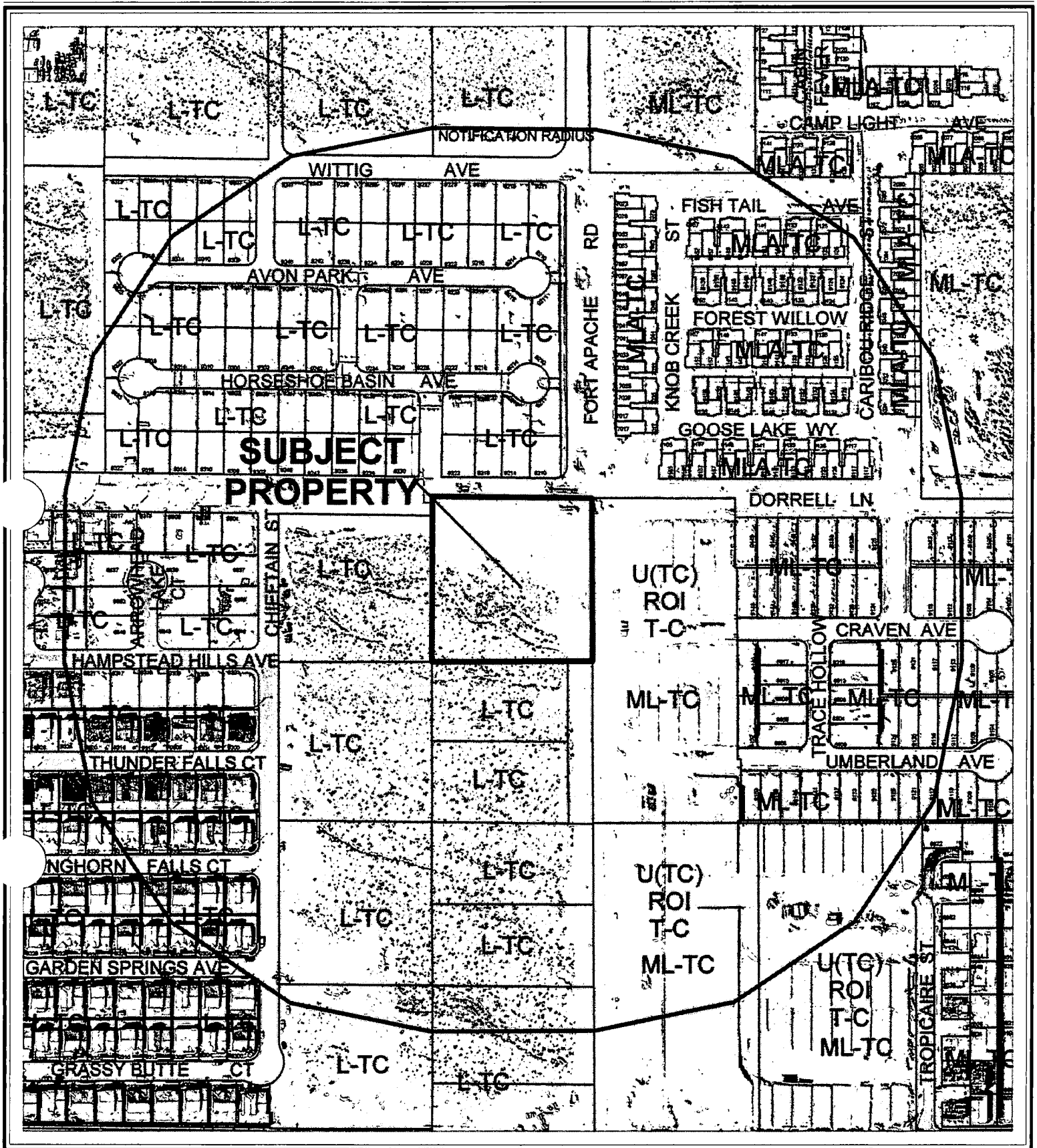
ZONING OF SUBJECT PROPERTY:

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

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)



CASE: ZON-5313

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA -
OWNER: DANIEL M. CARPINO**

**** CONDITIONS ****

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

Planning and Development

1. This Rezoning request shall go direct to Ordinance.
2. Approval of Site Development Plan Review (SDR-5317) and Vacation (VAC-4218) applications by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 50 feet of right-of-way adjacent to this site for Fort Apache Road where no right-of-way currently exists, 40 feet for Dorrell Lane where no right-of-way currently exists and a 25 foot radius corner at the southwest corner of Fort Apache Road and Dorrell Lane.
4. Construct half-street improvements on Dorrell Lane and Fort Apache Road adjacent to this site and construct half-street improvements including appropriate overpaving (if legally able) on Deer Springs Way adjacent to this site concurrent with development. Also, construct all incomplete half-street improvements on Chieftain 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. Extend all required underground utilities, such as electrical, telephone, etc., located within unimproved public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
5. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. In lieu of constructing improvements, in whole or in part, the developer may agree to contribute monies for the construction of neighborhood or local drainage improvements, the amount of such monies shall be determined by the

approved Drainage Plan/Study and shall be contributed prior to the issuance of any building or grading permits, or the recordation of a Map subdividing this site, whichever may occur first, if allowed by the City Engineer.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from: U (Undeveloped) Zone [TC (Town Center) General Plan Designation] To: T-C (Town Center) on 2.52 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane.

B) Applicant's Justification

The applicant has justified this request by stating that the proposed Rezoning will implement Centennial Hills Town Center policy to have all land in the Town Center area zoned as T-C (Town Center).

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Petition to Annex property (A-0003-99) generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 619 acres, including a portion of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval on 03/25/99.
- 07/05/01 The City Council approved a request for a Rezoning (Z-0034-01) from U (Undeveloped) [L-TC (Low Residential) General Plan Designation] to T-C (Town Center) on 69.6 acres located within an area bound by the Farm Road alignment on the north, the Tee Pee Lane alignment on the west, the Fort Apache Road alignment on the east, and approximately 660 feet south of the Deer Springs Way alignment on the south, including a portion of the subject site. The Planning Commission and staff recommended approval of all applications on 05/24/01.
- 02/05/03 The City Council approved a Petition to Annex undeveloped property (A-0038-02) located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including a portion of the subject site. The Planning Commission and staff recommended approval on 10/24/02. The effective date was 02/14/03.
- 09/15/04 The City Council tabled the Rezoning (ZON-4216), Site Development Plan Review (SDR-4220) and Vacation (VAC-4218) at the request of the applicant. The Rezoning and Vacation are being brought forward to the 11/04/04 City Council meeting to be heard in conjunction with this application.

- 11/04/04 The Planning Commission recommended approval of the Site Development Plan Review (SDR-5317) as part of this agenda. The applicant has completed the assemblage of land for the project. This site development plan review replaces the one previously tabled at City Council.
- 11/04/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #51/srs).

B) Pre-Application Meeting

- 09/20/04 The applicant was informed that Rezoning (ZON-4216) from U (TC) to T-C on APN 125-19-602-002 should remain tabled until a new rezoning case is to be heard by Council, and that ZON-4216 would have to be renotified, with fees due.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 2.5
Net Acres: 2.5

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
East: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
 under Resolution of Intent to T-C (Town Center)
West: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density Residential - Town Center). This designation has a density range of 3.5 to 5.5 units per acre, and is intended for single-family detached homes as well as more imaginative residential development, which put an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the L-TC (Low Density Residential - Town Center) special land use designation.

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

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation Trail along the west side of Fort Apache Road, adjacent to the site, which is a wider section than the Primary Arterial Trail on the east side of the street. The site plan, as proposed, meets these trails standards.

Fort Apache Road, on the east boundary of the site, will be developed as a Town Center Primary Arterial (100 feet), which also has a 15-foot median. The street section shown on the site plan does not identify this median.

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 request advances City policies to have all lands within the Town Center Plan to be zoned TC (Town Center).

2. **“The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”**

The proposed T-C (Town Center) zoning district allows for a wide range of uses, including the proposed residential development on the subject site. The density of the proposed use, as indicated in companion Site Development Plan Review (SDR-5317) is within the stated density range of the current L-TC (Low Density Residential - Town Center) land use designation. The proposed development will be consistent with the density of the adjacent single-family residential development to the north, and is consistent with the L-TC designation that applies to surrounding undeveloped properties.

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

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

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

The site is adjacent to Deer Springs Way (a Town Center Arterial [80-foot]/ Secondary Collector) to the south, and to Fort Apache Road (a Town Center Primary [100-foot] Arterial) to the east. Dorrell Lane, a Town Center Residential Collector, is located to the north of the site. These streets will be adequate to provide access to the subject site for the density of development that will be allowed under the proposed T-C (Town Center) zoning district.

NOTICES MAILED 47 by Planning Department

APPROVALS 0

PROTESTS 0



STATEMENT OF FINANCIAL INTEREST

Name of Applicant: Pardee Homes of Nevada..

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?

 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: _____

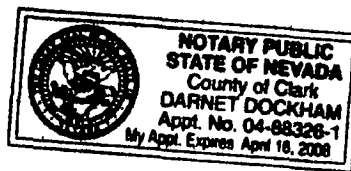
Signature of Property Owner/Authorized Agent: _____

Print Name: Don Carfino

Subscribed and sworn before me

This 14 day of Sept, 2004

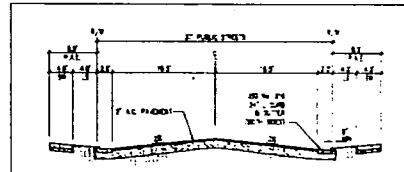
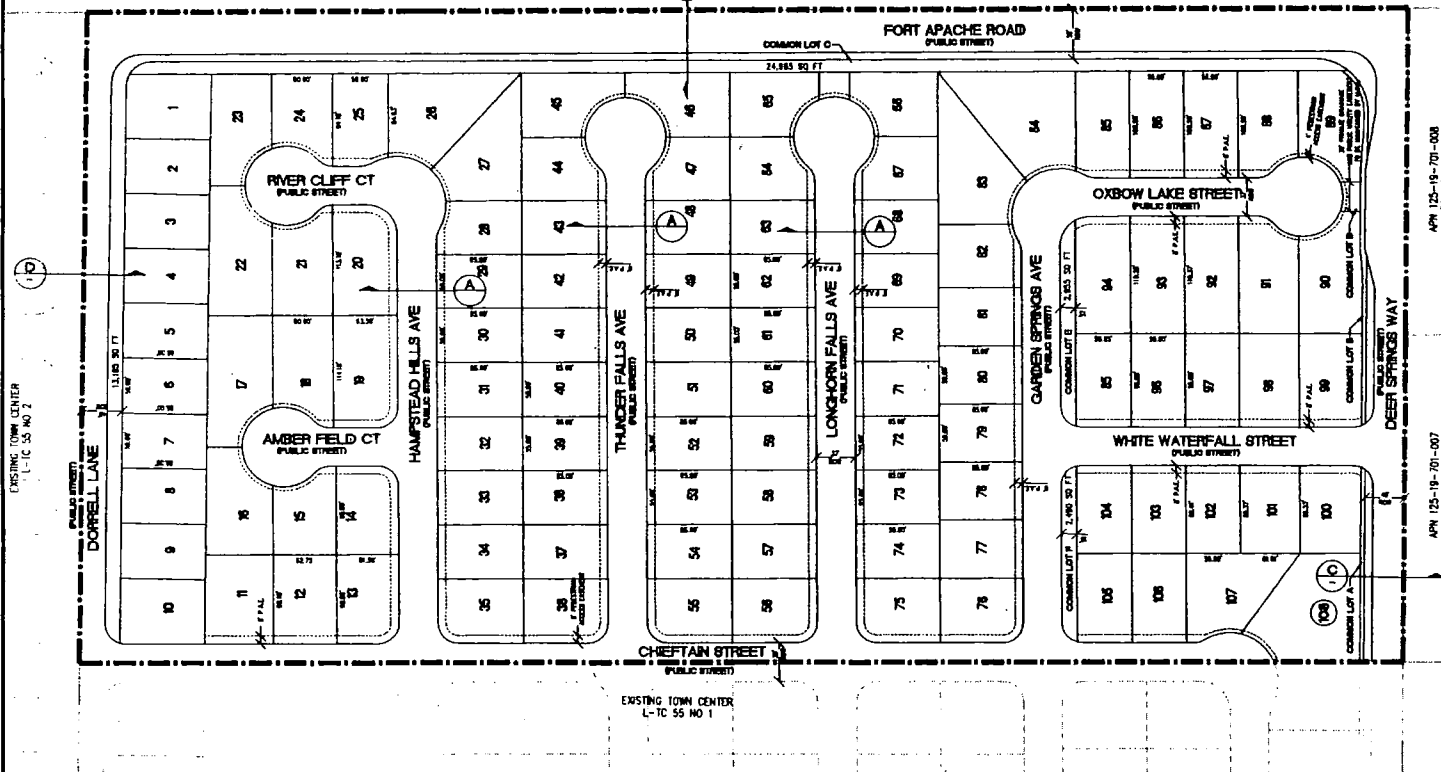
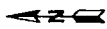
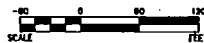
Notary Public in and for said County and State



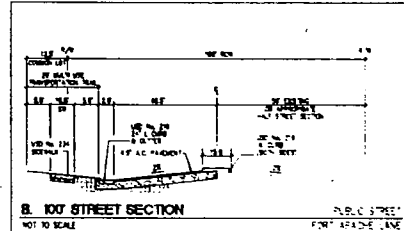
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APN 125-20-201-029
ZONING U-1C

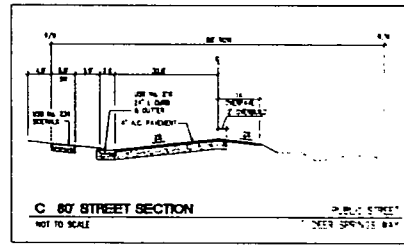
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ZONING U-1C



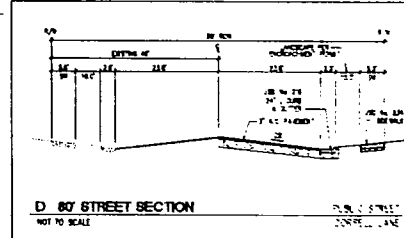
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NOT TO SCALE



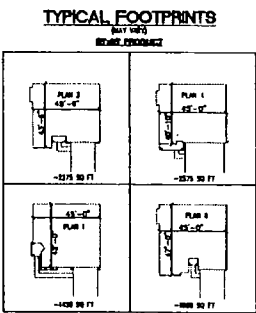
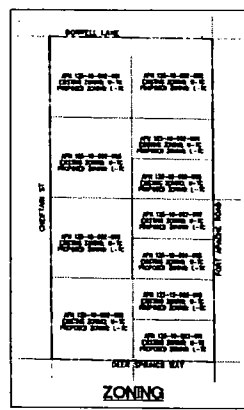
B. 100' STREET SECTION
NOT TO SCALE



C. 80' STREET SECTION
NOT TO SCALE



D. 80' STREET SECTION
NOT TO SCALE



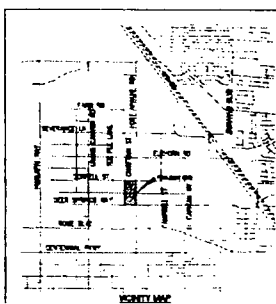
MINIMUM SETBACKS	
FRONT	10' TO STRING GARAGE/CONVERTED LIVING QUARTER
FRONT	18' FACE OF GARAGE TO BACK OF SIDEWALK
REAR	10' TO PRIMARY STRUCTURE
REAR	7' TO BALCONIES IN CLR-DE-SACS
SIDE	5' TO PRIMARY STRUCTURE
CORNER	10' TO PRIMARY STRUCTURE

ACREAGE/DENSITY/LANDSCAPING	
LOT COUNT	108
GROSS ACREAGE	20.18
DENSITY	5.35 DU/AC
PROMOTED OPEN SPACE	1.78 AC (77,808 SQ FT)
REQUIRED OPEN SPACE	1.00 AC (43,560 SQ FT)

FLOOR AREA RATIO	
PLAN 1	0.31:1
PLAN 2	0.34:1
PLAN 3	0.82:1
PLAN 4	0.84:1

LEGEND	
LOTS	
OPEN SPACE AREA	
MEETING CLV O.S. CRITERIA	
LANDSCAPE AREAS	
INCLUDING SIDEWALK	
NOT COUNTING AS O.S.	
STREETS	

NOTE	
SIGNAGE FOR PROPERTY SHALL CONSIST OF NAME PLATE SIGNAGE ON BLOCK WALLS AT STRATEGIC LOCATIONS THROUGHOUT COMMUNITY	



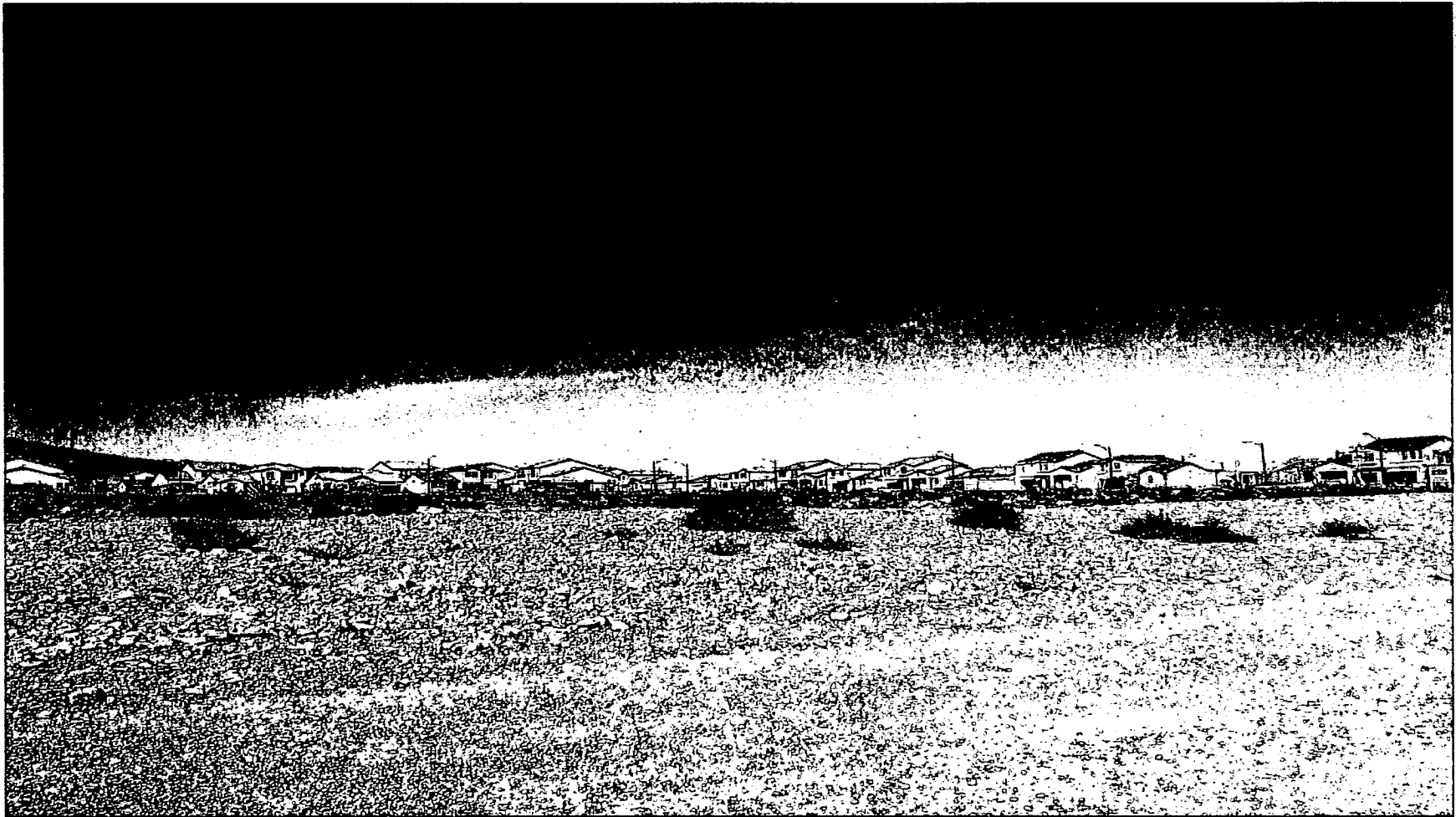
RECEIVED
SEP 21 2004

ZON-5313
11-04-04 PC

SLATER
HANIFAN
S-I-G
GROUP
CONSULTING ENGINEERS & PLANNERS

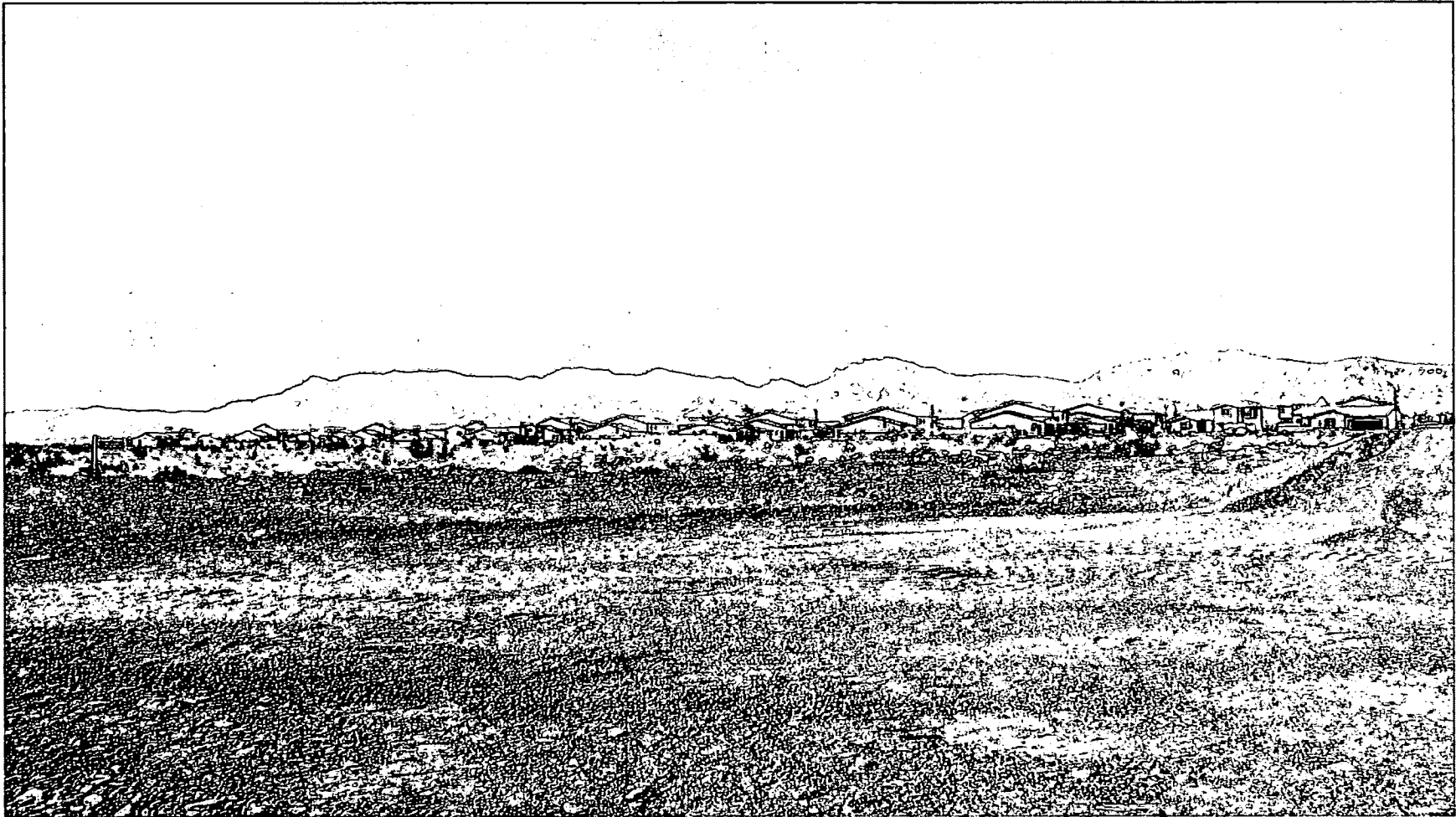
PARDEE HOMES OF NEVADA
TOWN CENTER L-TC 55 NO. 4
SITE PLAN

DATE: 9-18-04
DRAWN: JCP
DESIGNED: JCP
PROJECT NO: PAR0302-008
C-1



ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



ZON-5313 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

VACATION RELATED TO ZON-4216 AND ZON-5313

VAC-4218 - TABLED ITEM - PUBLIC HEARING - APPLICANT/OWNER: PARDEE HOMES OF NEVADA - Petition to Vacate U.S. Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street, Ward 6 (Mack). The Planning Commission (5-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 105 [ZON-4216] for all related discussion.

(3:19 - 3:25)

5-350

CONDITIONS:

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations; the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works with Rezoning application ZON-4216.

2. 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.

3. 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.

4. All development shall be in conformance with code requirements and design standards of all City departments.

5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in

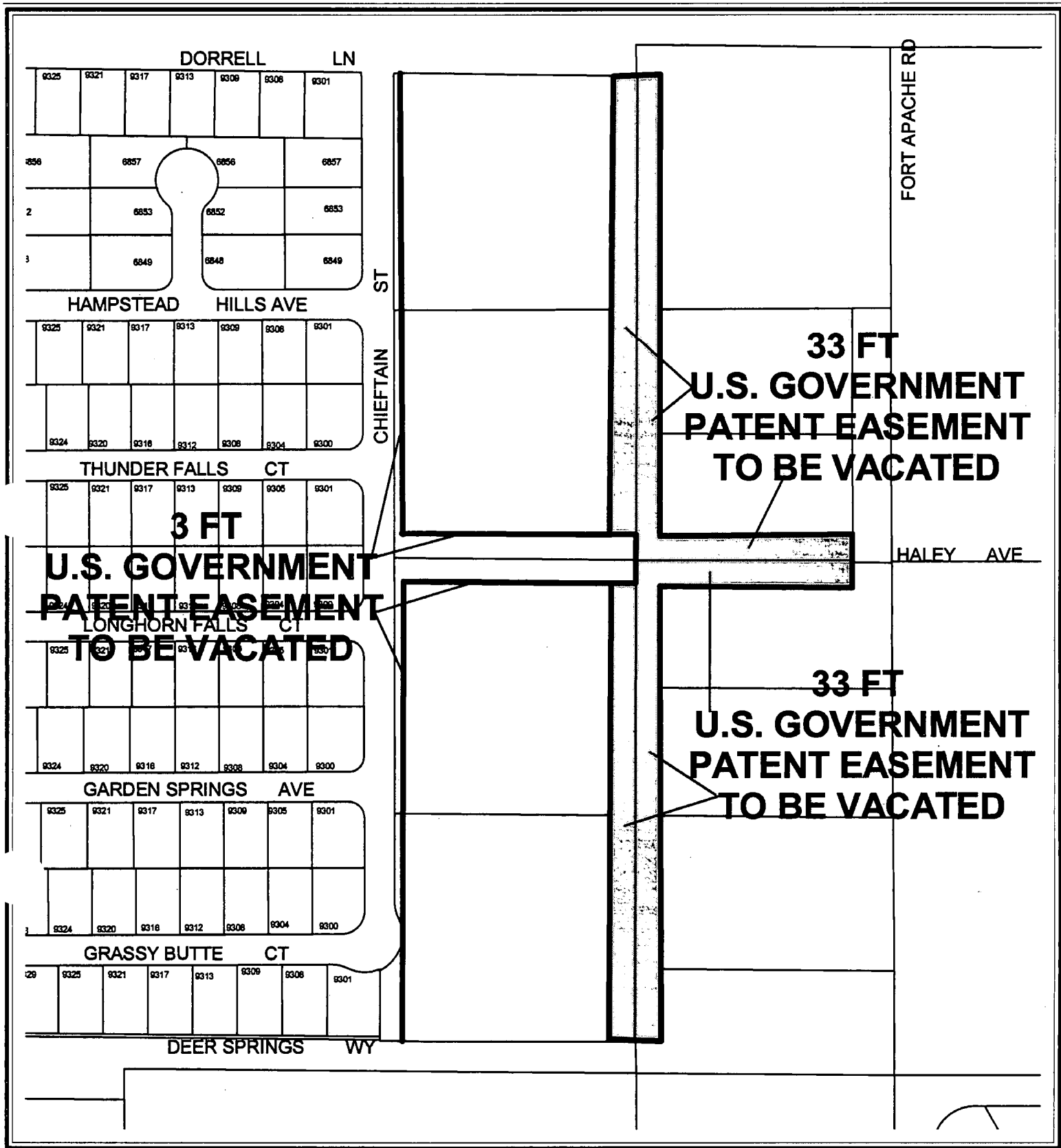
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

CONDITIONS - Continued:

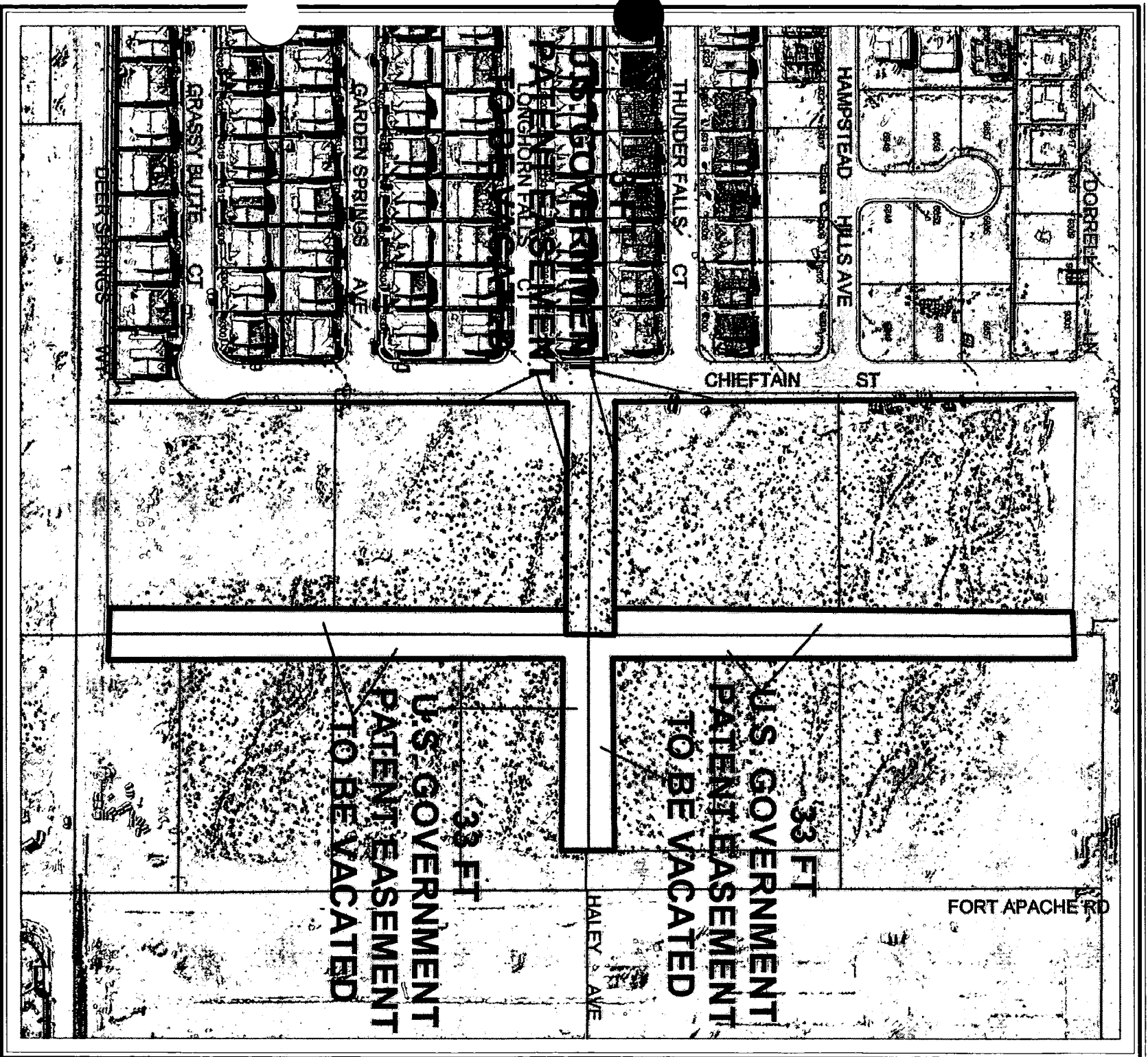
accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right of way requirements are still complied with and the intent of the 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.

6. If the Order of Relinquishment of Interest 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.

7. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON 4216, Site Development Plan Review SDR 4220 and all other applicable site-related actions.



CASE: VAC-4218



CASE: VAC-4218

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: Tabled Item - VAC-4218 - Applicant/Owner: Pardee Homes of Nevada

THIS ITEM WAS TABLED AT THE SEPTEMBER 15, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST SO THAT AN ADDITIONAL PARCEL OF LAND COULD BE INCLUDED.

**** CONDITIONS ****

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

1. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the vacation of these U.S. Government Patent Reservations; the vacation request shall be modified to conform to the approved Drainage Plan and Technical Drainage Study as required by the Department of Public Works with Rezoning application ZON-4216.
2. 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.
3. 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.
4. All development shall be in conformance with code requirements and design standards of all City departments.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, 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.
6. If the Order of Relinquishment of Interest 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.

7. Development of these sites shall comply with all applicable conditions of approval for Zoning Reclassification ZON-4216, Site Development Plan Review SDR-4220 and all other applicable site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for approval to Vacate U. S. Government Patent Easements generally located south of Dorrell Lane, west of Chieftain Street.

B) Applicant's Justification

The applicant's justification letter states that the adjacent parcel is proposed to be developed as a 92-lot single-family residential development.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a Petition to Annex property (A-0003-99) generally located west of El Capitan Way and east of Hualapai Way between Grand Teton Drive and Rome Avenue, containing approximately 619 acres, including a portion of the subject site. The effective date was 01/26/01. The Planning Commission and staff recommended approval on 03/25/99.
- 07/05/01 The City Council approved a request for a Rezoning (Z-0034-01) from U (Undeveloped) [L-TC (Low Residential) General Plan Designation] to T-C (Town Center) on 69.6 acres located within an area bound by the Farm Road alignment on the north, the Tee Pee Lane alignment on the west, the Fort Apache Road alignment on the east, and approximately 660 feet south of the Deer Springs Way alignment on the south, including a portion of the subject site. The Planning Commission and staff recommended approval of all applications on 05/24/01.
- 02/05/03 The City Council approved a Petition to Annex undeveloped property (A-0038-02) located in various parts of the city under the provisions of NRS 268.597 No. 1(b) containing approximately 495 acres, including a portion of the subject site. The Planning Commission and staff recommended approval on 10/24/02. The effective date was 02/14/03.
- 05/13/04 The Planning Commission held this item and companion items ZON-4216 and SDR-4220 in abeyance to the 06/10/04 PC Meeting at the request of the applicant as additional land is being purchased that would complete the project assemblage.
- 07/08/04 The Planning Commission held this item in abeyance to allow the applicant time to obtain additional land that would complete the project assemblage.

- 08/12/04 The Planning Commission recommended approval of companion applications for a Rezoning (ZON-4216) from U (Undeveloped) Zone [TC (Town Center) General Plan Designation] to T-C (Town Center), and a Site Development Plan Review for 92 single-family lots (SDR-4220) on the subject site concurrently with this request.
- 08/12/04 The Planning Commission voted 5-0 to recommend APPROVAL (PC Agenda Item #40/gl).
- 09/15/04 The City Council voted to table this item along with the related Site Development Plan Review and Rezoning. The applicant needed to submit additional applications to include a portion of land recently obtained.
- 11/04/04 The Planning Commission recommended approval of related items that were submitted to include additional land (ZON-5313 and SDR-5317).

DETAILS OF APPLICATION REQUEST

The subject Vacation proposes to vacate U. S. Government Patent Reservations located in the East Half (E½) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 19, Township 19 South, Range 60 East, M.D.M.

ANALYSIS

A) Planning discussion

The applicant intends to vacate the existing U.S. Government Patent Reservations because they are no longer needed in their current configuration. This will allow the development of the single-family subdivision on 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.

B) Public Works discussion

The Department of Public Works has no objection to the vacation application request to vacate U.S. Government Patent Reservations generally located north of Deer Springs Way, west of Fort Apache Road.

NOTICES MAILED 5 by Planning Department

APPROVALS 0

PROTESTS 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-4218 APN: 125-19-602-001, 003 thru 011

Name of Property Owner: Pardee Homes of Nevada

Name of Applicant: Pardee Homes of Nevada

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: _____

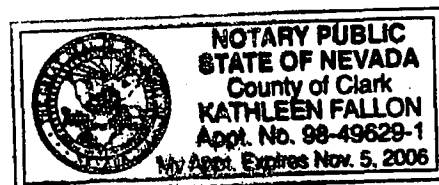
Signature of Property Owner/Authorized Agent: La Al

Print Name: Klif Andrews

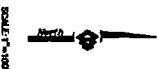
Subscribed and sworn before me

This 18 day of March, 20 04

Kathleen Jull
Notary Public in and for said County and State



LOCATED IN THE NORTHEAST QUARTER OF SECTION 19
IN T. 18 S., R. 60 E., MDN.
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
MARCH 25, 2004



12-1-04 CC

100-200000

208 MC PRACTICE
DIAMOND SURVEYOR, INC.
LAND SURVEY CONSULTING
5240 S. ARNOLD STREET, SUITE 700
LAS VEGAS, NV 89115
702 364-5700 FAX 702 364-5100

NOV - 9 2004

REVISED

12-1-04 CC

**EASEMENT VACATION EXHIBIT
TOWN CENTER L-TC 55 NO. 4
LAS VEGAS, NEVADA
FOR: PARADISE HOMES OF NEVADA**



DIAMOND SURVEYING, INC.
LAND SURVEY CONSULTING
8240 S. MOBILE STREET, SUITE 206
LAS VEGAS, NV 89119
702.294.8360 FAX: 702.294.8361

LOCATED IN THE NORTHEAST QUARTER OF SECTION 19
IN T. 19 S., R. 80 E., MDN,
CITY OF LAS VEGAS, CLARK COUNTY, NEVADA
MARCH 25, 2004



REVISED
11-9-04

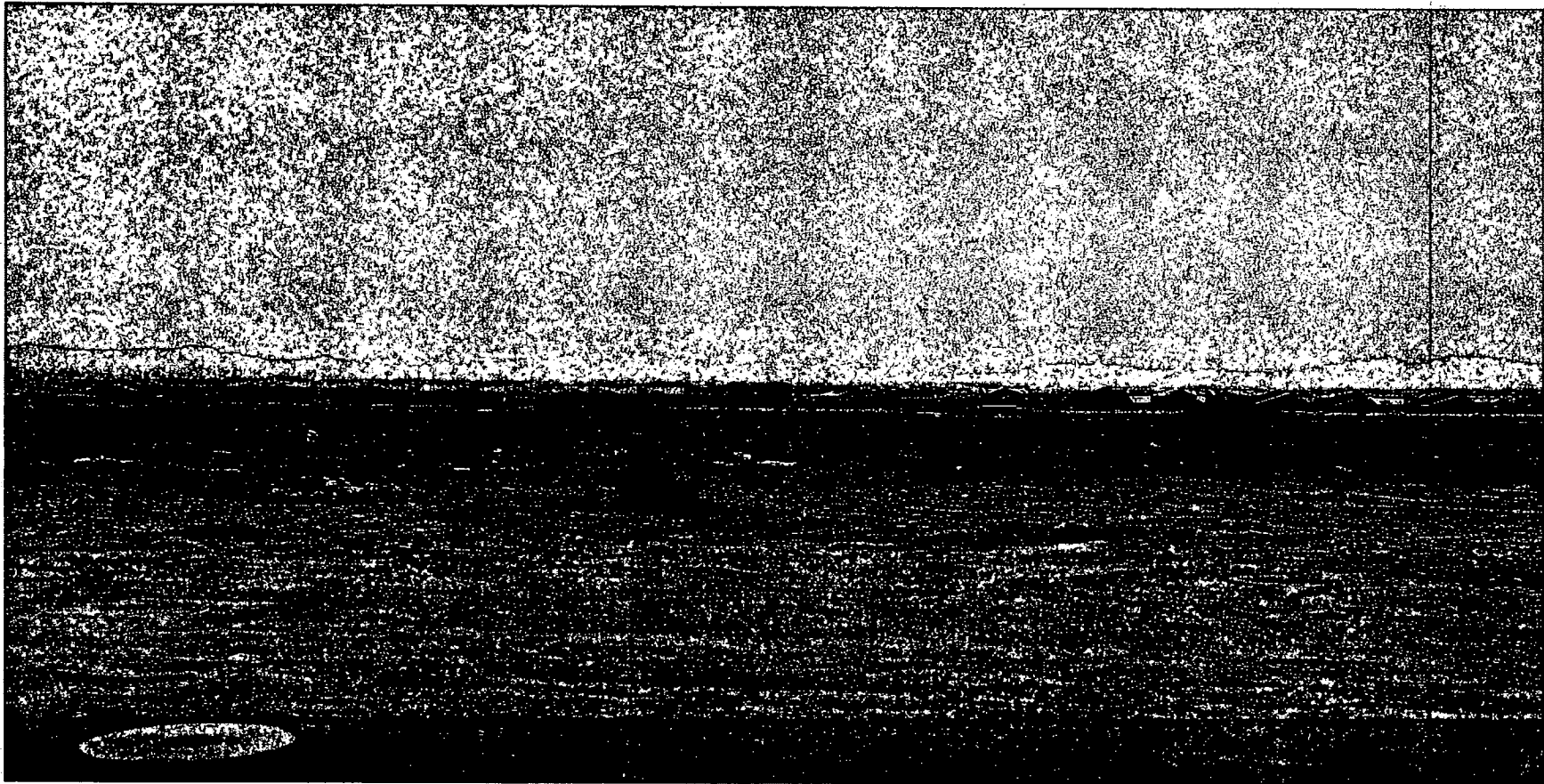
VAC-4218
12-1-04 CC

REVISÉD

EASEMENT EXHIBIT
TOWN CENTER L-TC 55 NO. 4
LAS VEGAS, NEVADA
FOR: RABBIT HOUSE OF NEVADA

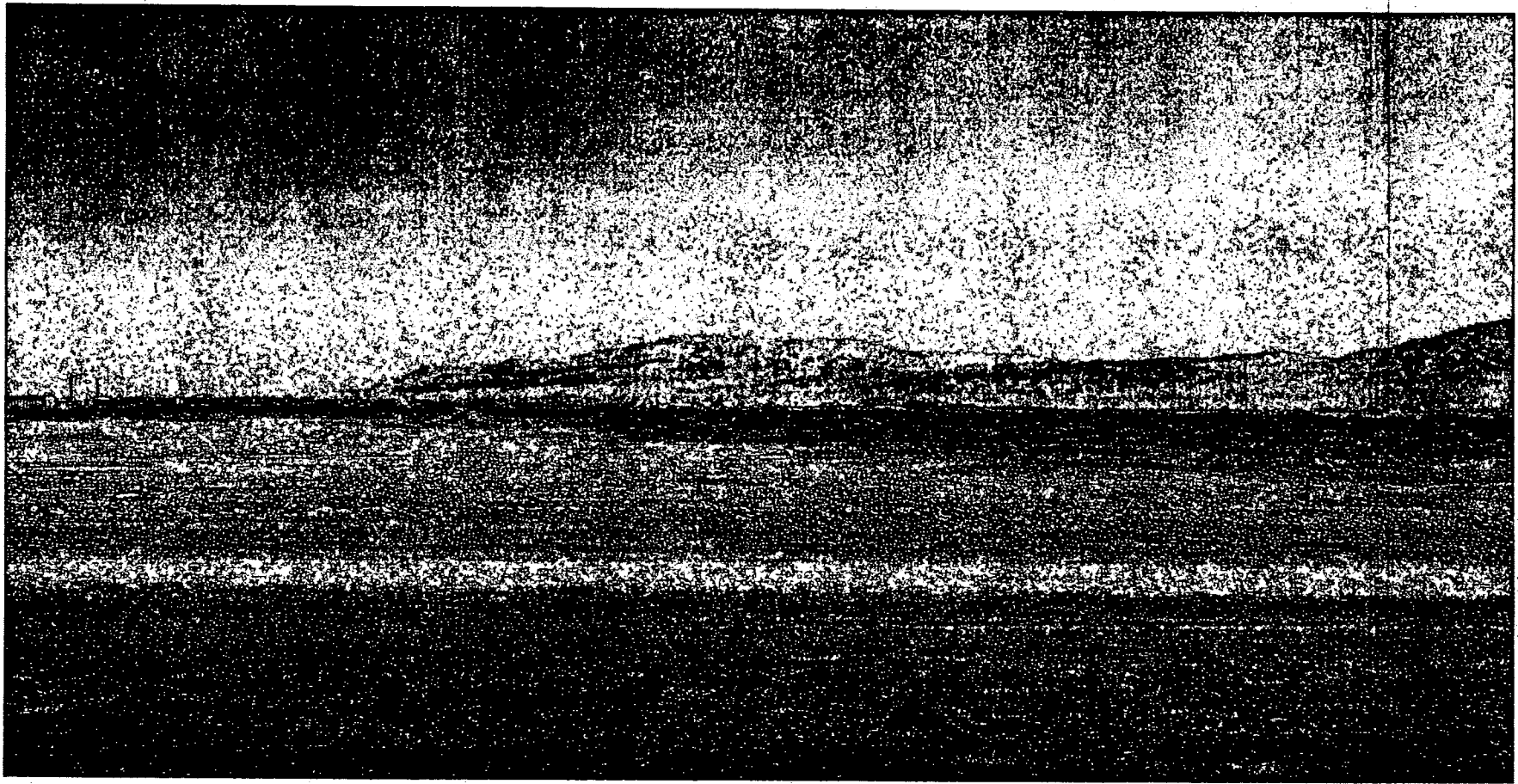
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	DRAWN	CLM
	SURVEYED	CLM
	CHECKED	FTT
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DRAWING NAME: EASE-MAP		
SHEET NO. 1/1		

JOB NO.: 6941033
DIAMOND SURVEYING, INC.
LAND SURVEY CONSULTING
8746 S. MYRTLE STREET, SUITE 200
LAS VEGAS, NV 89115
702.894.5380 FAX 702.894.5391



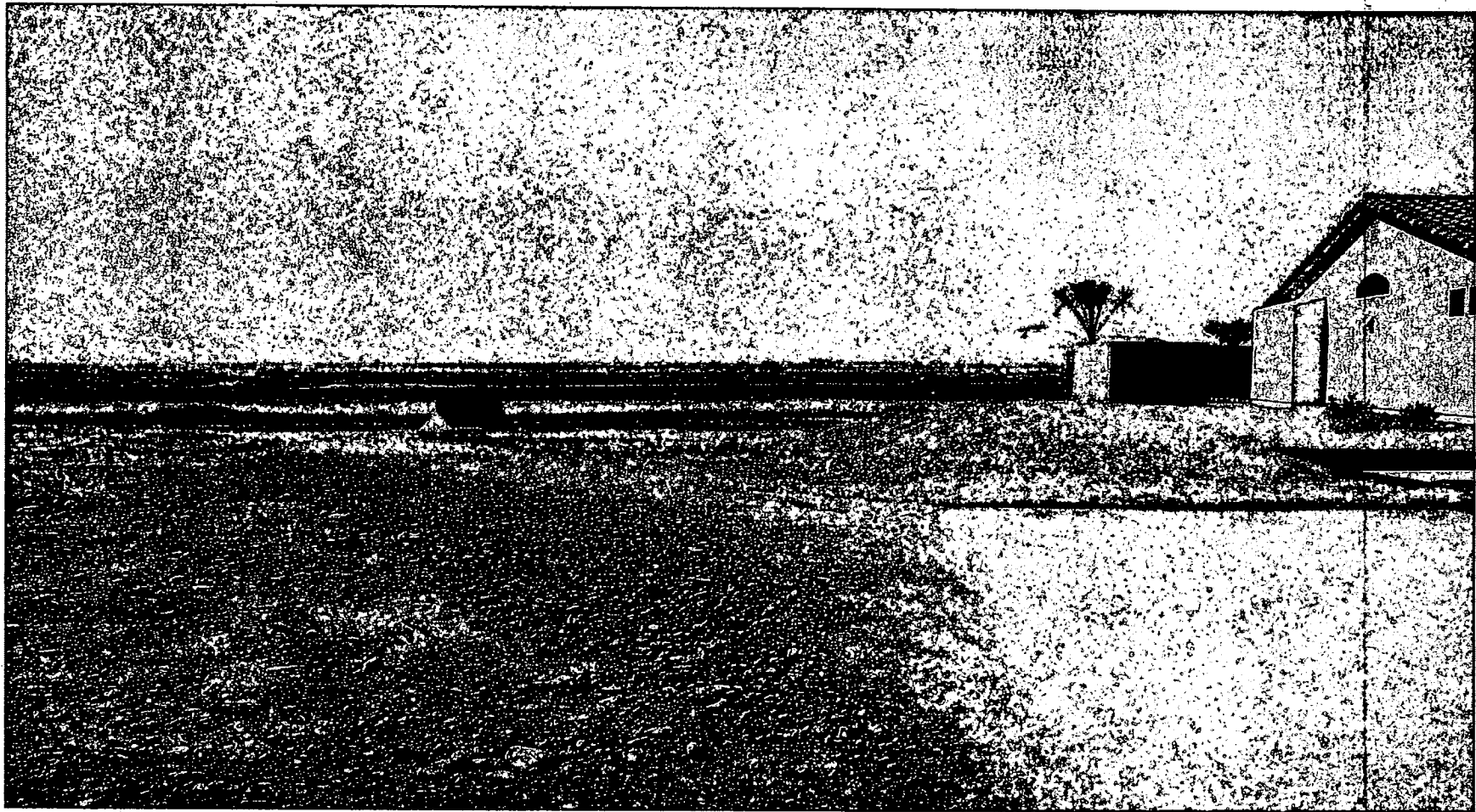
VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
GENERALLY LOCATED SOUTH OF DORRELL LANE, WEST OF CHIEFTAIN STREET
AUGUST 12, 2004 PLANNING COMMISSION

4/26/04



VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
GENERALLY LOCATED SOUTH OF DORRELL LANE, WEST OF CHIEFTAIN STREET
AUGUST 12, 2004 PLANNING COMMISSION

4/26/04



VAC-4218 - APPLICANT/OWNER: PARDEE HOMES OF NEVADA
GENERALLY LOCATED SOUTH OF DORRELL LANE, WEST OF CHIEFTAIN STREET
AUGUST 12, 2004 PLANNING COMMISSION

4/26/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-4215, ZON-5313 AND VAC-4218

SDR-5317 - PUBLIC HEARING - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA - Request for a Site Development Plan FOR A PROPOSED 108-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 20.18 acres adjacent to the southwest corner of Fort Apache Road and Dorrell Lane (APN 125-19-602-001 thru 011), U (Undeveloped) Zone [TC (Town Center) L-TC (Low Density Residential Town Center General Plan Designation)] [PROPOSED: T-C (Town Center) Zone], Ward 6 (Mack). The Planning Commission (7-0 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

GOODMAN - APPROVED subject to conditions - UNANIMOUS

MINUTES:

NOTE: See Item 105 [ZON-4216] for all related discussion.

(3:19 - 3:25)

5-350

CONDITIONS:

Planning and Development

1. Approval of a Rezoning to T-C (Town Center) and a Vacation of government patent easements by the City Council (ZON-5313), (ZON-4216) and (VAC-4218).
2. All development shall be in conformance with the site plan and building elevations date stamped 09/21/04, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.

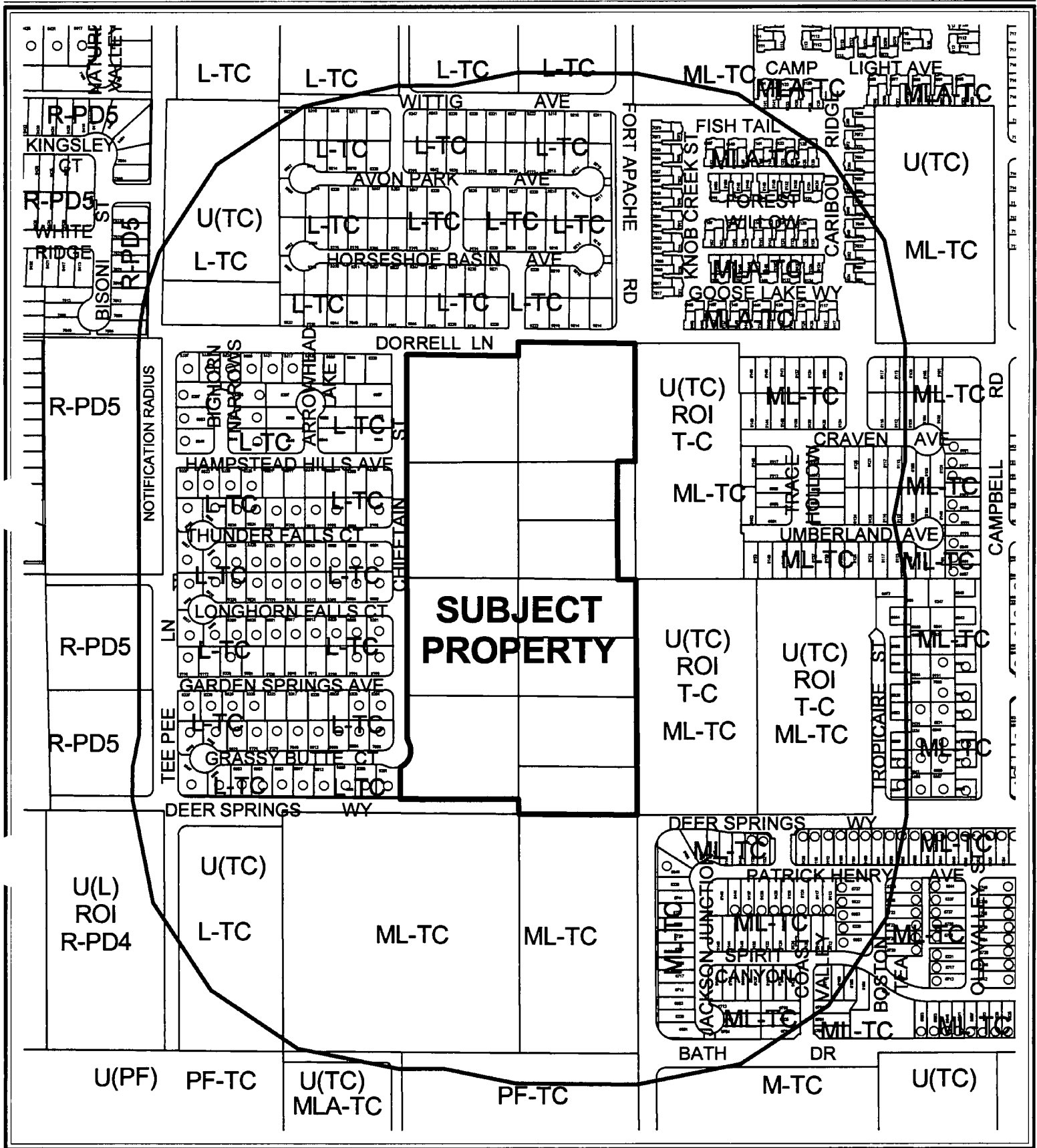
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

CONDITIONS - Continued:

5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
6. The required Primary Arterial Trail along Fort Apache Road, the Town Center Arterial Trail along Deer Springs Way and the Town Center Collector Trail along Dorrell Lane shall be constructed in accordance with the Town Center Design Standards.
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, unless otherwise stipulated.
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.

Public Works

11. Landscape and maintain all unimproved rights-of-way on Dorrell Lane, Deer Springs Way and Fort Apache Road adjacent to this site.
12. Submit an Encroachment Agreement for all landscaping and private improvements located in the Dorrell Lane, Deer Springs Way and Fort Apache Road public rights-of-way adjacent to this site prior to occupancy of this site.
13. Provide public sidewalk easements for all public sidewalks located outside of the public right-of-way concurrent with development of this site.
14. Site development to comply with all applicable conditions of approval for ZON-5313 and ZON-4216, VAC-4218, Town Center Standards, and all other site-related actions.
15. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first.



CASE: SDR-5317

RADIUS: 750 FT

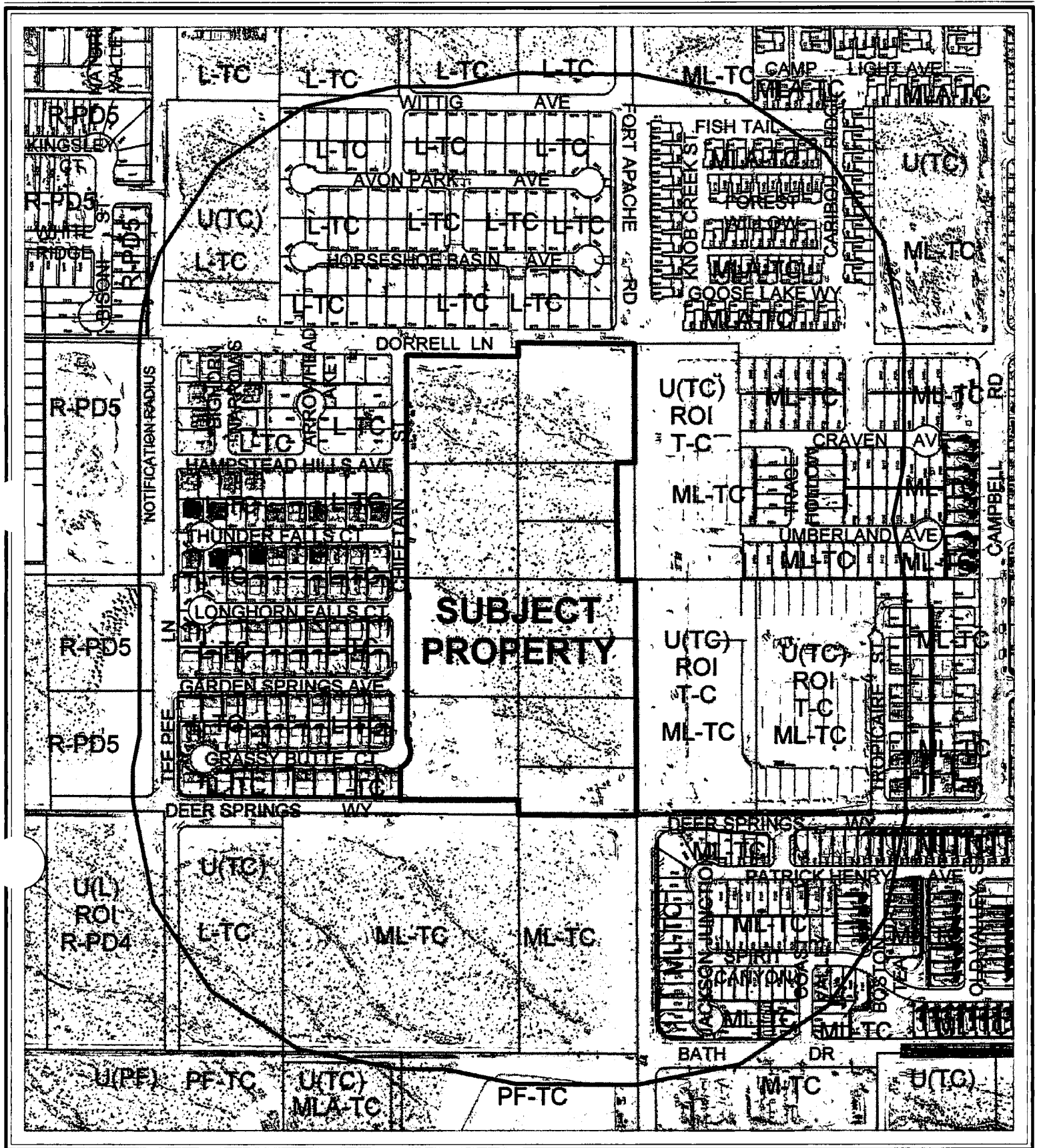
ZONING OF SUBJECT PROPERTY:

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

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)



CASE: SDR-5317

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

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

[L-TC (LOW DENSITY RESIDENTIAL) TOWN CENTER SPECIAL LAND USE DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER)

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: SDR-5317 - APPLICANT: PARDEE HOMES OF NEVADA -
OWNER: DANIEL M. CARPINO AND PARDEE HOMES OF NEVADA**

**** CONDITIONS ****

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

Planning and Development

1. Approval of a Rezoning to T-C (Town Center) and a Vacation of government patent easements by the City Council (ZON-5313), (ZON-4216) and (VAC-4218).
2. All development shall be in conformance with the site plan and building elevations date stamped 09/21/04, except as amended by conditions herein, including the required median on Fort Apache Road.
3. The standards for this development shall include the following: minimum distance between buildings of 10 feet and building height shall not exceed two stories or 35 feet, whichever is less.
4. The setbacks for this development shall be a minimum of 10 feet to the front of the house or swing garage, 18 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet on the side, 10 feet on the corner side, and 10 feet in the rear, except for lots fronting on cul-de-sac bulbs, where 7 feet in the rear is allowed.
5. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box large canopy trees planted a minimum of 35 feet on-center along Fort Apache Road, with five-foot on-site and right-of-way amenity zones, and 24-inch box large canopy trees planted a minimum of 30 feet on-center along Dorrell Lane and along Deer Springs Way.
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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.

Public Works

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**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for 108 single-family lots on approximately 20.18 acres located at the southwest corner of Dorrell Lane and Fort Apache Road.

B) Applicant's Justification

The applicant has justified the request by stating that the pattern of development and proposed street sections are similar for those approved on other Pardee development sites in Town Center within the immediate area.

BACKGROUND INFORMATION

A) Previous Actions

- 01/17/01 The City Council approved a the annexation of this property. The effective date was 01/26/01. The Planning Commission and staff recommended approval.
- 07/05/01 The City Council approved a request for a Rezoning to T-C (Town Center) as part of a larger request. The Planning Commission and staff recommended approval.
- 09/15/04 The City Council tabled the Rezoning (ZON-4216), Site Development Plan Review (SDR-4220) and VAC-4218) at the request of the applicant. The Rezoning and Vacation are being brought forward to the 11/04/04 City Council meeting to be heard in conjunction with this application.
- 11/04/04 The Planning Commission recommended approval of the related rezoning, ZON-5313 as part of this agenda. The applicant has completed the assemblage of land for the project. This site development plan review replaces the one previously tabled at City Council.
- 11/04/04 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #52/srs).

B) Pre-Application Meeting

- 09/20/04 The applicant was advised that streetscapes are to match modified standards of Site Development Plan Review (SDR-1104), along Dorrell Lane and Chieftain Street. The applicant was informed that one acre of Open Space will be required, and that amenity zones would count toward that requirement. Applicant was informed that a Multi-Use Transportation Trail runs along Fort Apache Road, on the East side of the subject property.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Site Development Plan Review application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 20.18

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
North: T-C (Town Center)
South: T-C (Town Center)
East: U (Undeveloped) Zone [TC (Town Center) General Plan Designation]
under Resolution of Intent to T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The site is designated as TC (Town Center) on the Centennial Hills Sector Map of the General Plan. Within Town Center, land use is more specifically described by special land use designations as set out in the Town Center Development Standards Manual. The Manual designated this site as L-TC (Low Density Residential - Town Center). This designation has a density range of 3.5 to 5.5 units per acre, and is intended for single-family detached homes as well as more imaginative residential development, which put an emphasis on common open space. Local supporting uses are also allowed. The request for T-C (Town Center) zoning conforms to the L-TC (Low Density Residential - Town Center) special land use designation. The proposed site plan conforms to the T-C (Town Center) zoning designation.

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

Trails – There are three trail segments adjacent to the site as identified on Map 6 (Town Center Multi-Use Trail Alignments) of the Transportation Trails Element. One is a Primary Arterial Trail along Fort Apache Road to the east of the site, and a second is a Town Center Arterial Trail along Deer Springs Way to the south of the site. The third is the Town Center Collector Trail required along Dorrell Lane to the north of the site. These trails are also required pursuant to the street cross-sections in the Town Center Development Standards Manual and represent the sidewalks along these streets. Additionally, Map 6 also calls for a Multi-Use Transportation .

The site development plan correctly shows all of the trails, with the exception of the 15 foot wide median in Fort Apache Road. A proposed condition of approval requires installation of all trails in accordance with Town Center Development Standards.

PROJECT DESCRIPTION

The proposed development consists of 108 single-family lots covering the 20.18-acre site. Four basic floor plan configurations are proposed. The designs are both one and two-story products with two-car and three-car garages.

The open space provided with this project is 77,606 square feet within landscaped amenity zones separating the five-foot sidewalks from the street, around the external perimeter of the site. The total amount of open space provided is slightly in excess of that required by Town Center open space standards as outlined in the Town Center Development Standards Manual.

A network of public streets, all 37 feet in width, with L-type curb and gutter design, serves the development. Although these street-sections do not meet Town Center standards for public streets, they are consistent with street sections that were subsequently approved for development within the assemblage of land within Town Center by Pardee Homes.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.110, the Site Development Plan establishes the Development Standards within a T-C District. The development standards that are proposed for this site through this Site Development Plan are as follows:

Proposed Standards	
Typical Lot Size	Approx 6,500 S.F.
Min. Setbacks	
• To front of house or front-facing garage	18 Feet
• To front of swing garage	10 Feet
• Corner side	10 Feet
• Side	5 Feet
• Rear	7 Feet
Max. Building Height	Not specified, but plans submitted do not exceed 2 Stories / 35 Feet

These standards, as presented, will allow a development that should be harmonious and compatible with the approved residential project to the north of the site.

A2) Residential Adjacency Standards

There are no Residential Adjacency Standards that are applicable to this project.

A3) Parking and Traffic Standards

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

Uses	Ratio	Required Parking		Provided Parking		
		Regular	Handicap	Regular	Handicap	Guest
Single-Family Dwelling	2 Spaces/Dwelling	216 Spaces	N/A	216 Spaces	N/A	N/A

The proposal provides the minimum number of on-site parking spaces listed in the Zoning Code.

The Department of Public Works notes that, per the Master Plan Trails Element, a trail is required on Fort Apache Road. The Department also notes that the proposed street sections may not comply with Town Center Standards. With regard to these street section standards, it should be noted that limited modifications to these street standards (within portions of the Town Center Pardee land assemblage) were made pursuant to approval of SDR-1104. The plan as submitted is in conformance with these modifications, except as noted below.

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: • Minimum Number of Trees	1 Tree/30 Linear Feet along Deer Springs (550 Feet) and Dorrell (550 Feet) 1 Tree 1 Tree/35 Linear Feet along Ft Apache (1230 Feet) + 1 Tree	36 Trees 36 Trees	35 Trees 42 Trees
• Min. Zone Width	8 Feet along Deer Springs (Initially modified through SDR-1104 to be 5 Feet) along Dorrell Lane and 15 Feet along Ft. Apache, including trail)		12 Feet, including extra 4-foot amenity zone 5 Feet
• Wall height	6 Feet		14 Feet 6 Feet

The project meets or exceeds the perimeter buffering and landscaping standards of the Code, as set out in the Town Center Development Standards Manual along Deer Springs Way (Town Center Arterial [80-foot]/Secondary Collector), except for the provision of palm trees where the standard calls for canopy trees. Along Fort Apache Road, a 10-foot trail with a five-foot amenity zone is required, as set out through the Master Plan Transportation Trails Element; the plan identifies a foot-foot amenity zone. A condition of approval will require that five feet be provided, and will require canopy trees along Deer Springs Way. The plan also indicates a four-foot sidewalk and a four-foot amenity zone along the Chieftain Street frontage on the west side of the site.

The project does not meet the originally approved Town Center buffering and landscaping standards along Dorrell Lane and Chieftain Street; however, limited modifications to these standards (within portions of the Town Center Pardee land assemblage) were made pursuant to approval of SDR-1104. The plan as submitted is in conformance with these modifications.

Pursuant to subsection E.G of the Town Center Development Standards Manual, residential development using public streets in Town Center must provide open space in accordance with a table on page 135. For a development with a density of 5.2 acres, this would require 5% of the gross site area to be provided as open space; in this case, that would equal 38,463 square feet. As 38,768 square feet of open space have been provided, the project meets the Town Center standard for open space.

B) General Analysis and Discussion

- Zoning

With the approval of companion Rezoning applications (ZON-5313 and ZON-4216), the subject site will be zoned T-C (Town Center). The proposed Site Development Plan conforms to the proposed zoning for the site.

- Site Plan

The site plan as proposed meets all standards of Title 18 and the Town Center Development Standards Manual, with the exception of the Fort Apache Road amenity zones and the previously approved limited modifications to street sections and amenity zones associated with the approval of SDR-1104. The site plan is in conformance with these modifications where applicable.

- Waivers

No waivers have been requested with respect to this application. A condition of approval will require that five-foot amenity zones on Fort Apache Road be provided, and will require canopy trees along Deer Springs Way instead of palm trees.

- Landscape Plan

The conceptual landscaping plan indicates an alternating arrangement of 24" box Chinese Pistache, Holly Oak and Purple Robe Locust planted in a cluster arrangement along each side of the interior streets. Although a row of 10' Mexican Fan Palms are proposed along Deer Springs Way, this does not meet the planting scheme for Town Center Arterial [80-foot]/Secondary Collector Streets in the Town Center Development Standards Manual, which calls for large-canopy shade trees 30 feet on-center along a Town Center Arterial (Figure 2b). The plan appears to meet the street tree planting requirement along Dorrell Lane, which calls for large-canopy shade trees every 30 feet on-center (Figure 30). The plan places canopy trees at 30-foot on-center intervals along Fort Apache Road, where the standard is 35 feet (Figure 2a). The landscaping plan also depicts a variety of five and one-gallon ground shrubs, and a variety of ground cover plantings.

- Elevation

Four basic floor plans are proposed. The homes all have two or three-car garages, are one or two stories in height and are arranged along 37-foot wide public streets.

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, at 5.35 units per acre will be consistent with the density of the adjacent single-family residential developments to the north, and with the approved density for undeveloped areas in the vicinity of the 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 subject site is designated L-TC (Low Density Residential - Town Center) on Map 4 of the Town Center Development Standards Manual. This category allows a residential density range of 3.5 to 5.5 units per gross acre. The companion Rezoning application (ZON-5313) and ZON-4216 (pending City Council action) will rezone the subject site to the T-C (Town Center) zoning district. The proposed site plan conforms to both the General Plan and the Town Center Manual land use designations for the site. The proposed site plan conforms to other city policies and standards, with the exception of the minor perimeter amenity zone and landscaping issues noted above.

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

The site will be accessed from two public streets connecting to Chieftain Street, a Town Center Public Residential Street, to the west of the site, and from one public street connecting to Deer Springs Way, a Town Center Arterial [80-foot]/Secondary Collector, to the south. These streets will be adequate for allowable development under the proposed T-C (Town Center) zoning district.

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

The building and landscape materials are appropriate for this type of development in this portion of the City.

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

The building elevations are typical of single-family residential developments and will be compatible with single-family residential development to the east and west of the site.

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

The proposed development will be subject to the Uniform Building Code, and therefore the development will not compromise the public health, safety or welfare.

NOTICES MAILED 155 by Planning Department

APPROVALS 0

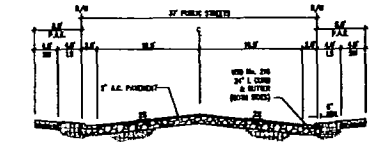
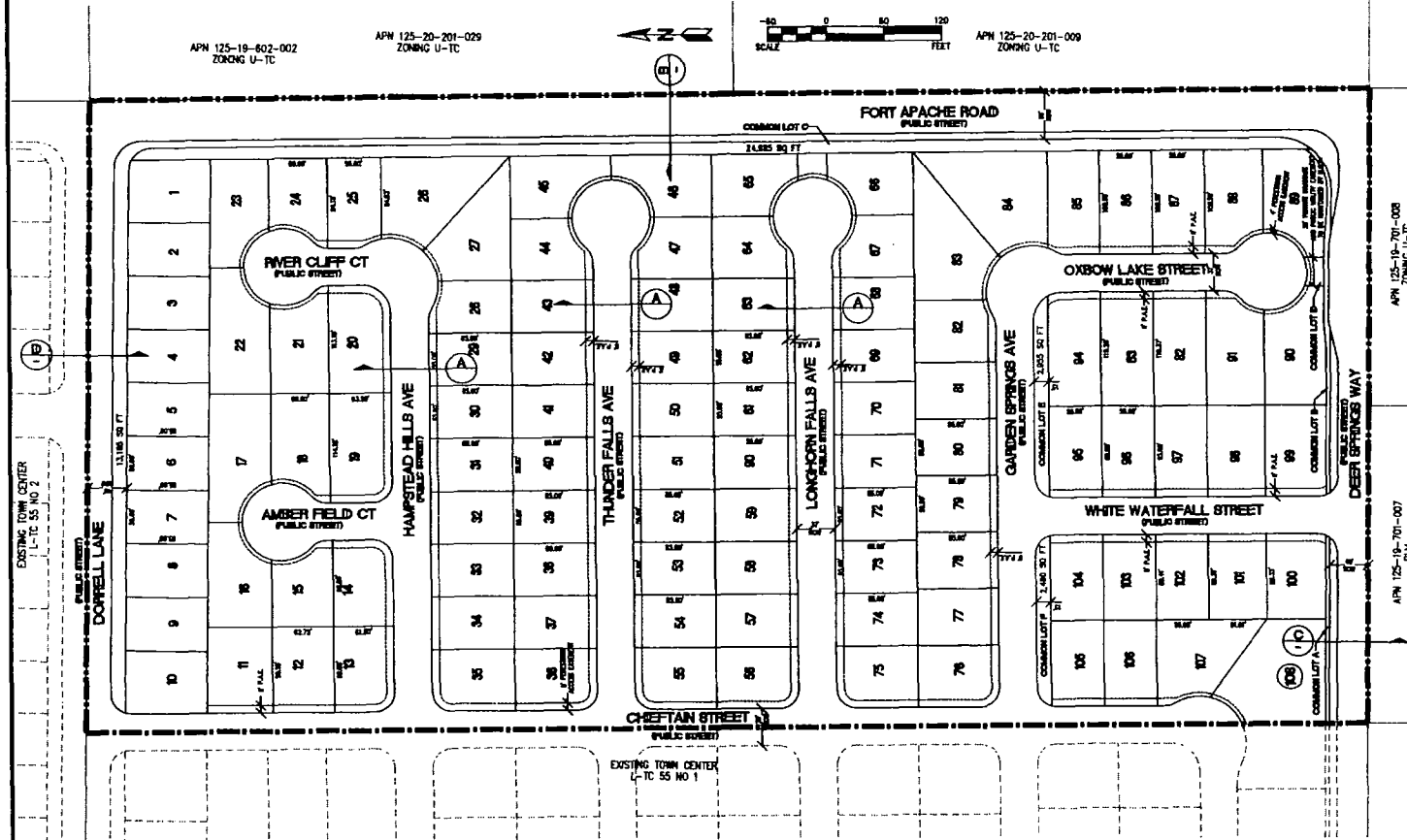
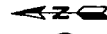
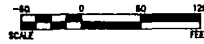
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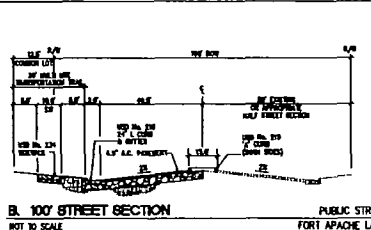
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ZONING U-TC

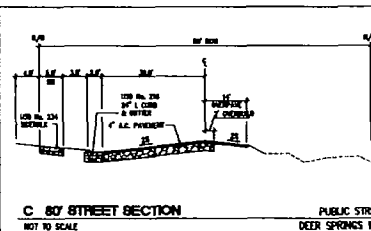
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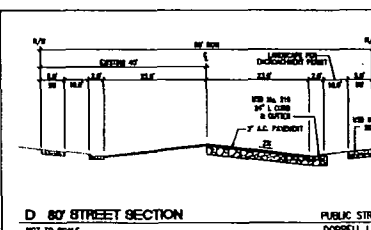
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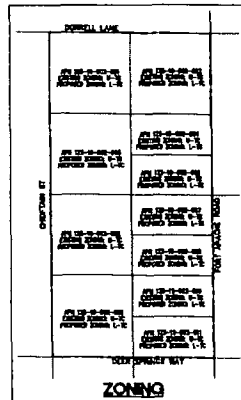
B. 100' STREET SECTION
NOT TO SCALE PUBLIC STREET FORT APACHE LAKE



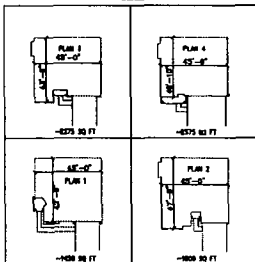
C. 80' STREET SECTION
NOT TO SCALE PUBLIC STREET DEER SPRINGS WAY



D. 80' STREET SECTION
NOT TO SCALE PUBLIC STREET DORRELL LAKE



TYPICAL FOOTPRINTS
(NOT TO SCALE)



- MINIMUM RETRACTIONS**
- FRONT 10' TO SWING GARAGE/CONVERTED LIVING QUARTER
 - FRONT 10' FACE OF GARAGE TO BACK OF SIDEWALK
 - REAR 10' TO PRIMARY STRUCTURE
 - REAR 7' TO BALCONIES IN CLU--DE--SACS
 - SIDE 5' TO PRIMARY STRUCTURE
 - CORNER 10' TO PRIMARY STRUCTURE

ACREAGE/DENSITY/LANDSCAPING

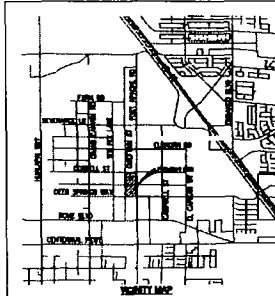
LOT COUNT 108
GROSS ACREAGE 20.18
DENSITY 3.35 DU/AC
PROVIDED OPEN SPACE 1.78 AC (77,808 SQ FT)
REQUIRED OPEN SPACE 1.00 AC (43,560 SQ FT)

FLOOR AREA RATIO

PLAN 1 - 0.31:1
PLAN 2 - 0.34:1
PLAN 3 - 0.32:1
PLAN 4 - 0.34:1

LEGEND

- LOTS**
- OPEN SPACE AREA
MEETING CLV O.S. CRITERIA
- LANDSCAPE AREAS**
INCLUDING SIDEWALK
NOT COUNTING AS O.S.
- STREETS**
- NOTE**
SIGNAGE FOR PROPERTY SHALL CONSIST OF NAME PLATE SIGNAGE ON BLOCK WALLS AT STRATEGIC LOCATIONS THROUGHOUT COMMUNITY



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SDR-5317
11-04-04 PC

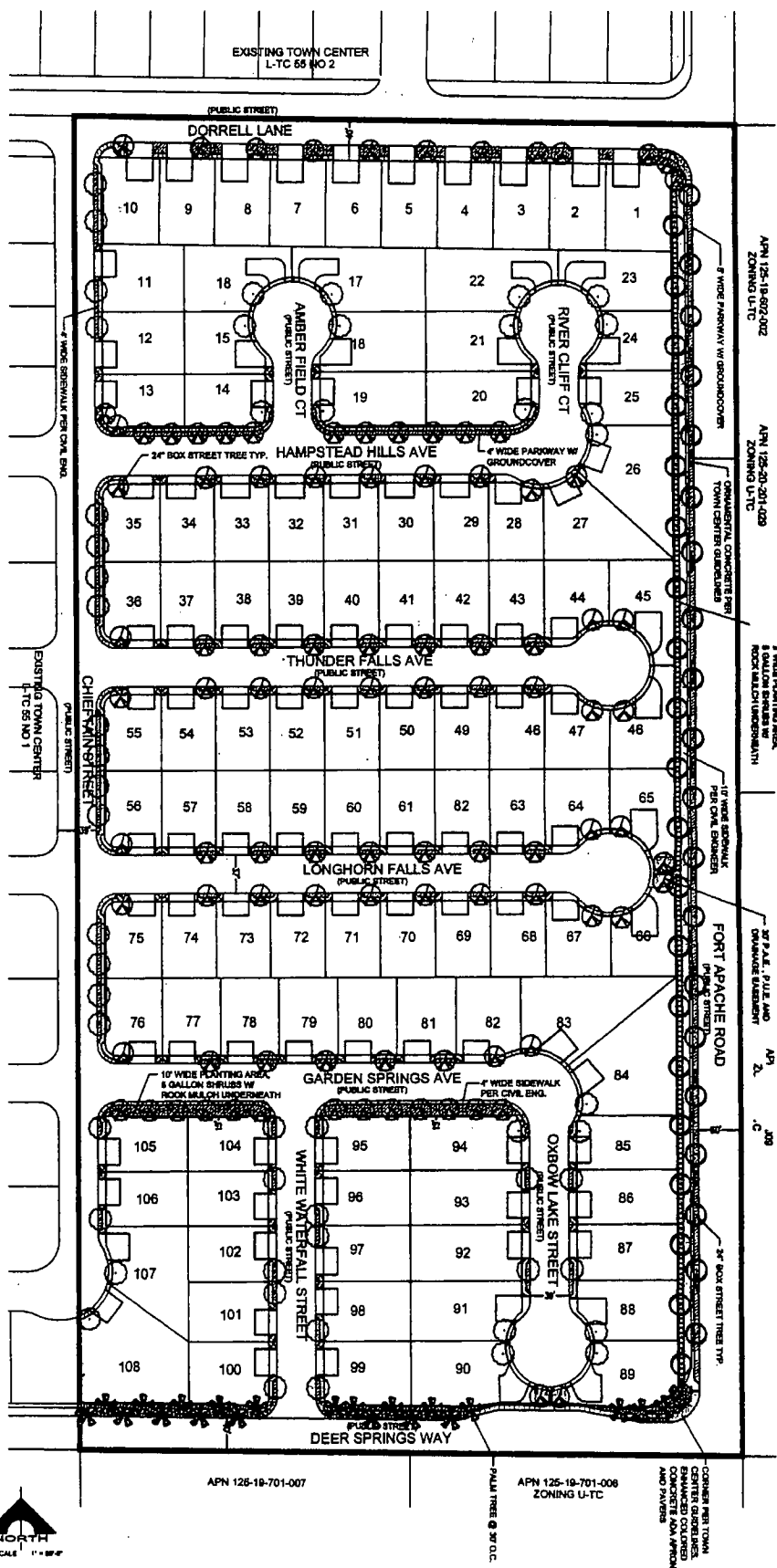
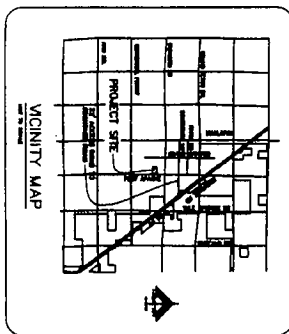
SLATER HANIFAN S-I-G GROUP
CONSULTING ENGINEERS & PLANNERS
PHONE (951) 261-2000 FAX (951) 261-2001

DATE	BY	APP.

PARDEE HOMES OF NEVADA
TOWN CENTER L-TC 55 NO. 4
SITE PLAN

DATE: 3/15/04
DRAWN: JOP
DESIGNED: JOP
CHECKED: TJS
PROJECT NO. PAR0302-008

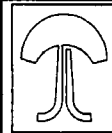
C-1
SHEET 1 OF 1

[illegible]

Sheet No. L1.CP	Sheet Title:	CONCEPTUAL PLAN
	Project:	TOWN CENTER TC-55 #4
	Client:	PARDEE HOMES 10850 WILSHIRE BLVD., SUITE #1800 LOS ANGELES, CA 90024 (310) 475-3525

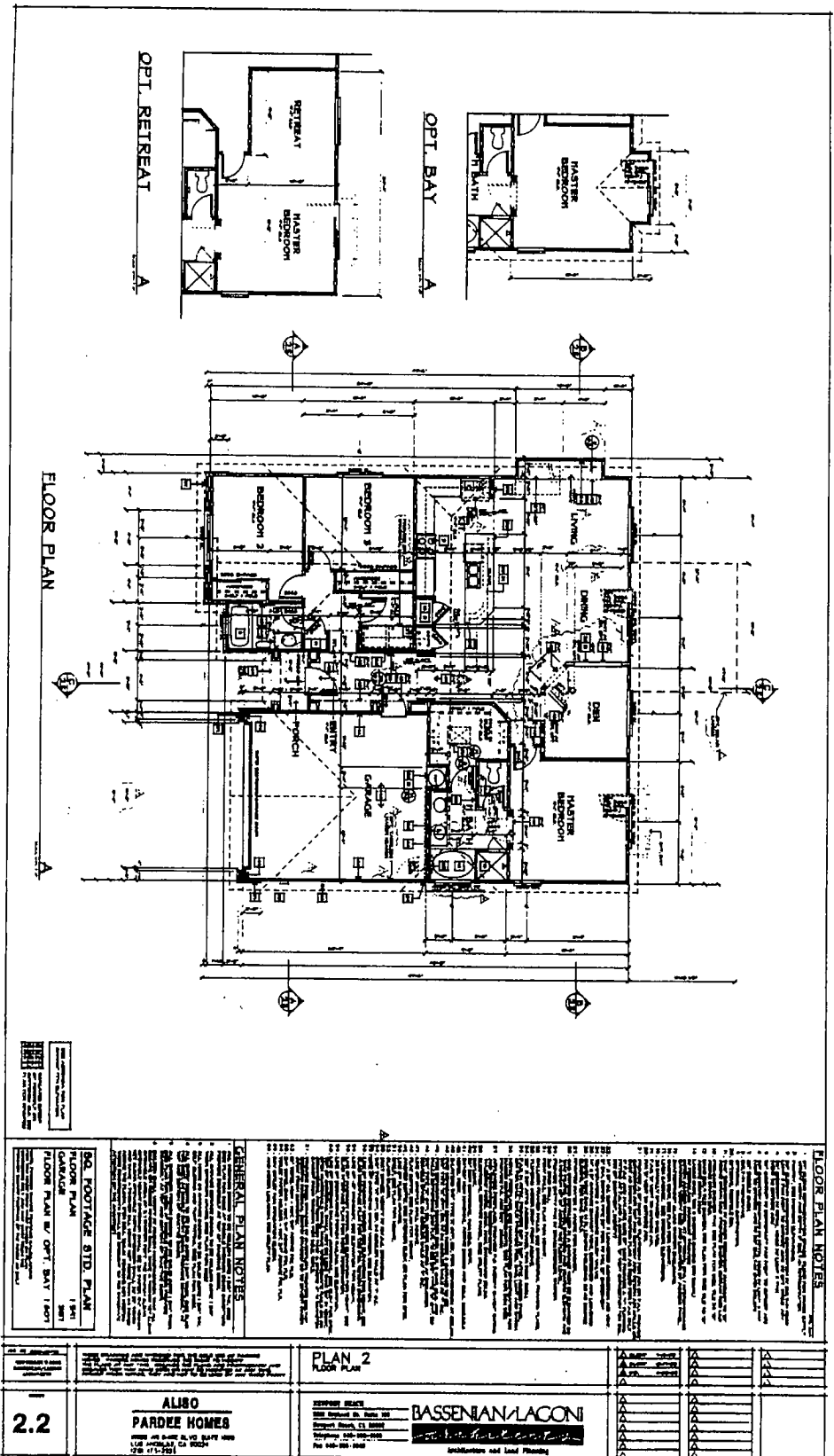
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DATE DRAWING: 00-10-01	ISSUED FOR: SUBMITTAL
DESIGNED BY: TC	DRAWN BY: RJB

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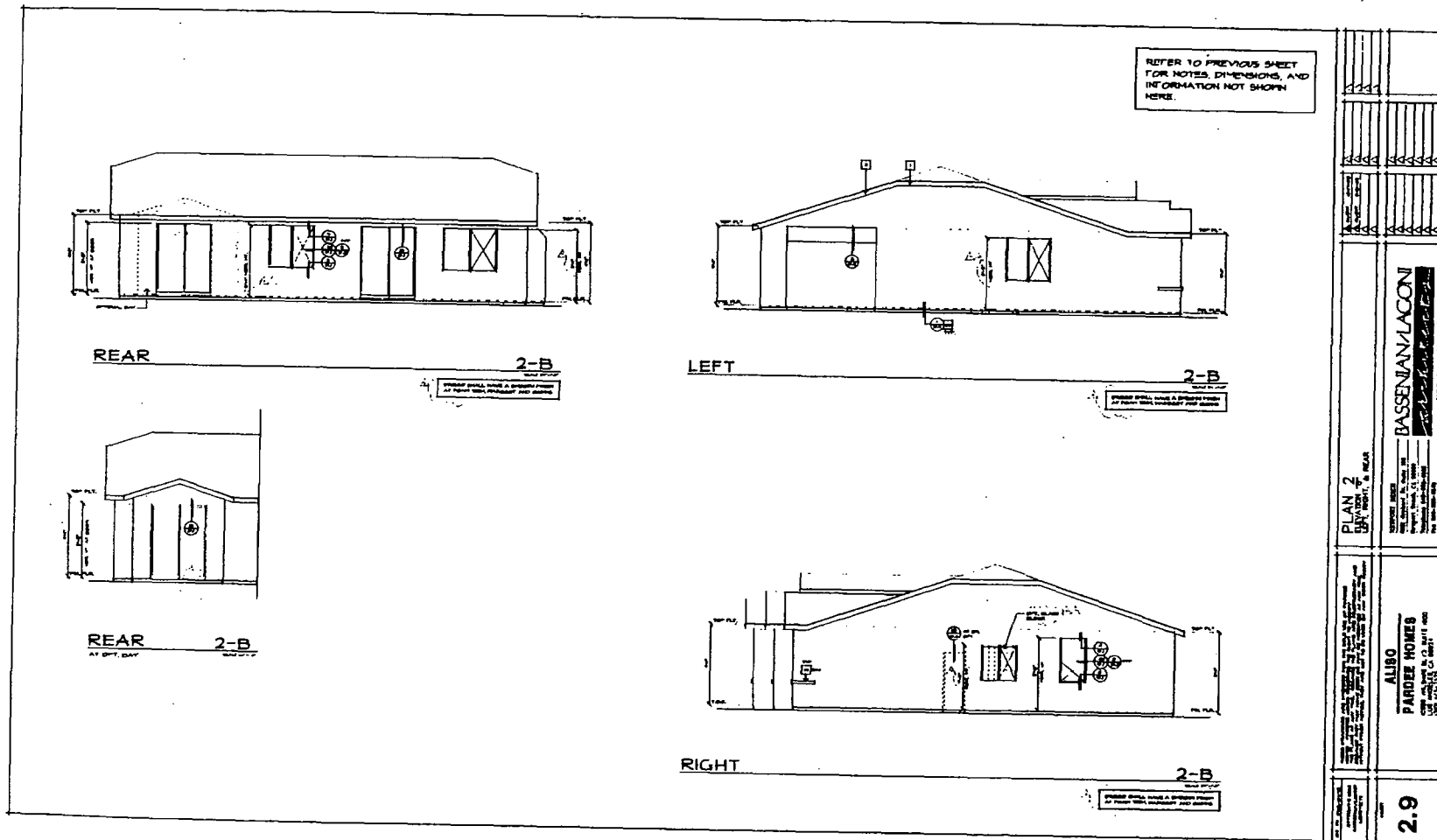
Larson & Associates
Landscape Architecture
4058 S. Industrial Road
Las Vegas, NV 89103
Phone (702) 738-4852
FAX (702) 738-8783
PROJECT:
James S. Larson
Landscape L.A. No. 881
PRINCIPAL:
Charles M. Gammage
Landscape L.A. No. 881

SDR-5317
11-04-04 PC



SDR-5317
11-04-04 PC

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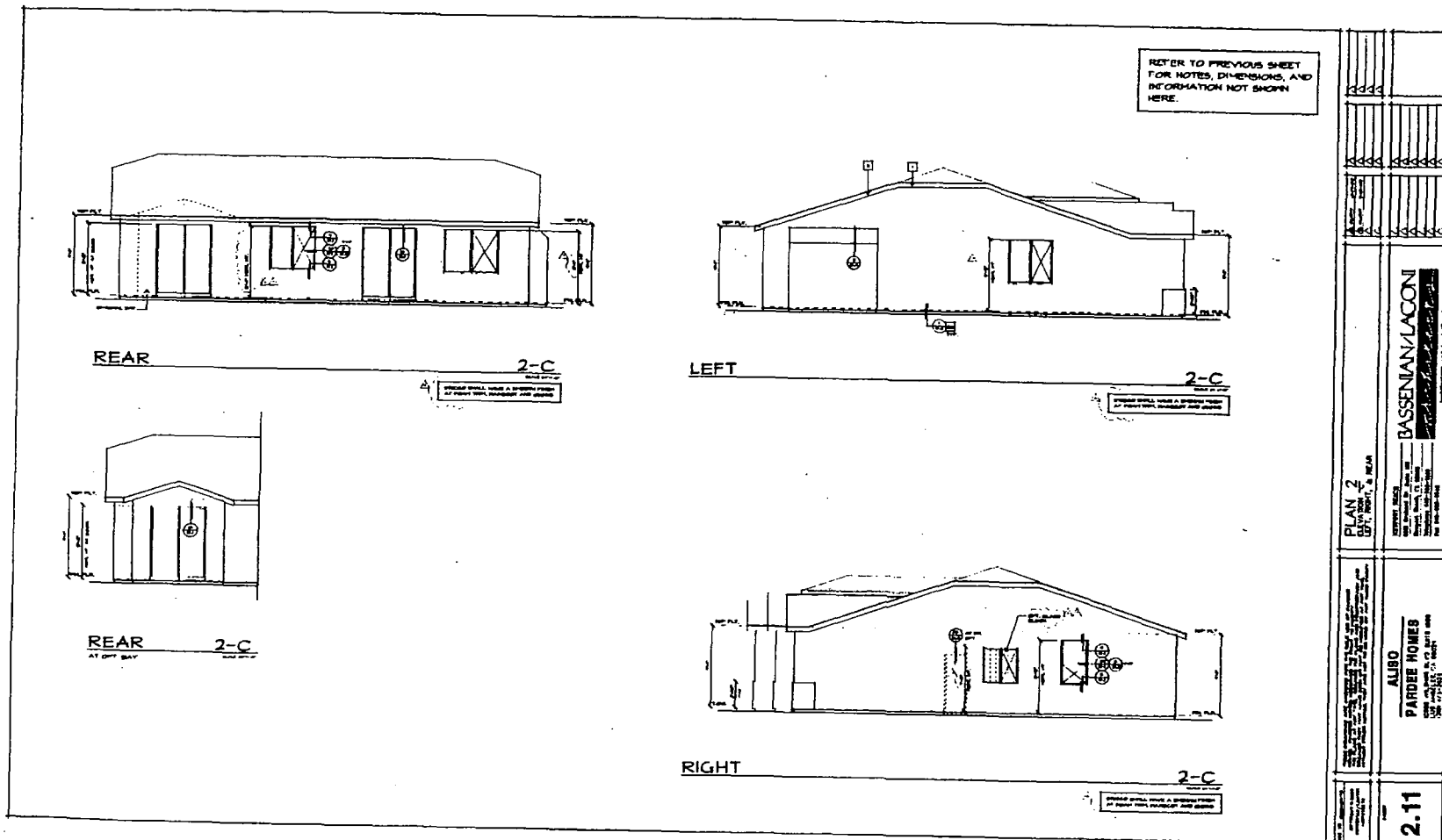
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ALISO	PARDEE HOMES
2.9	

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11-04-04 PC

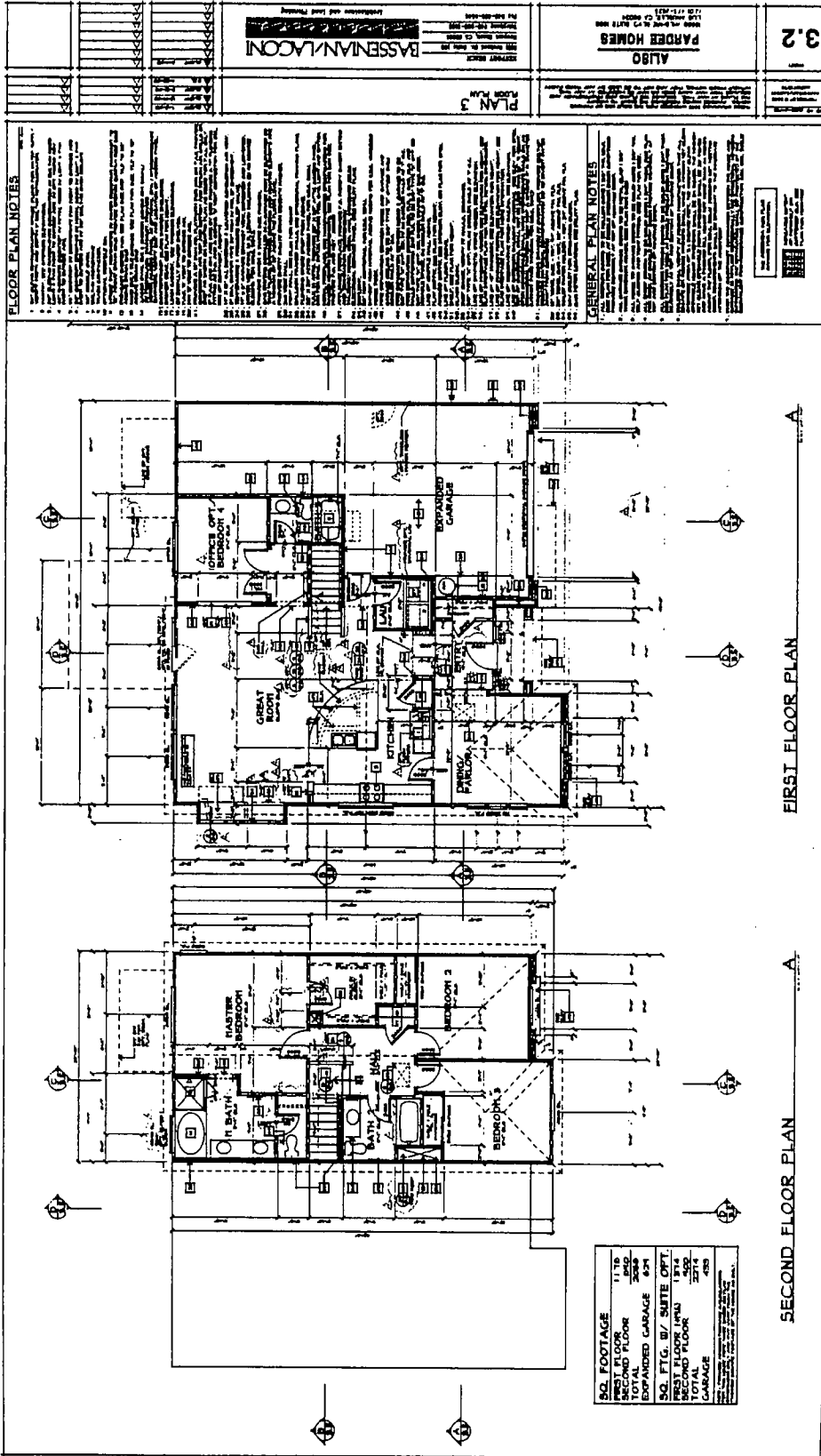
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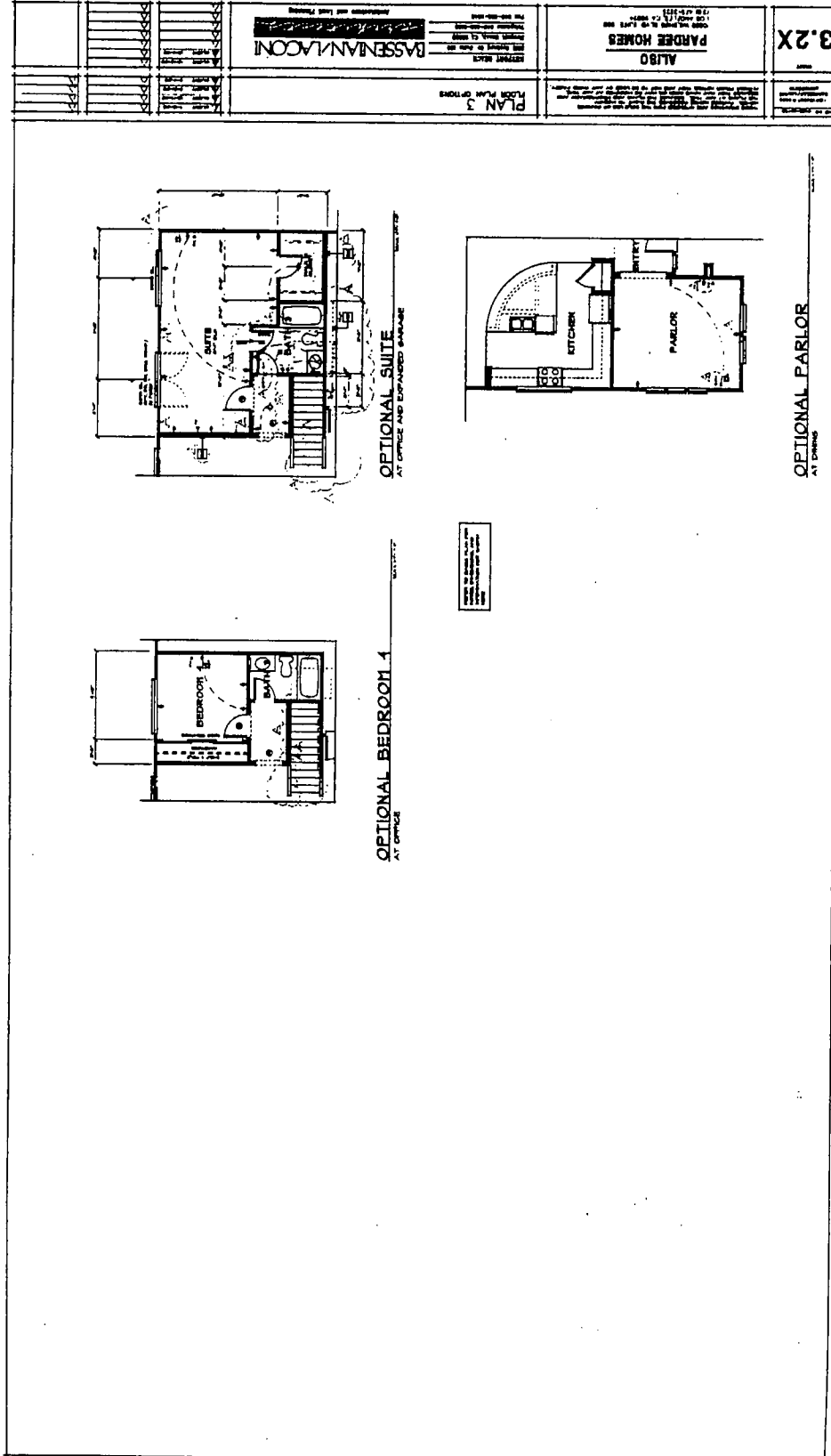


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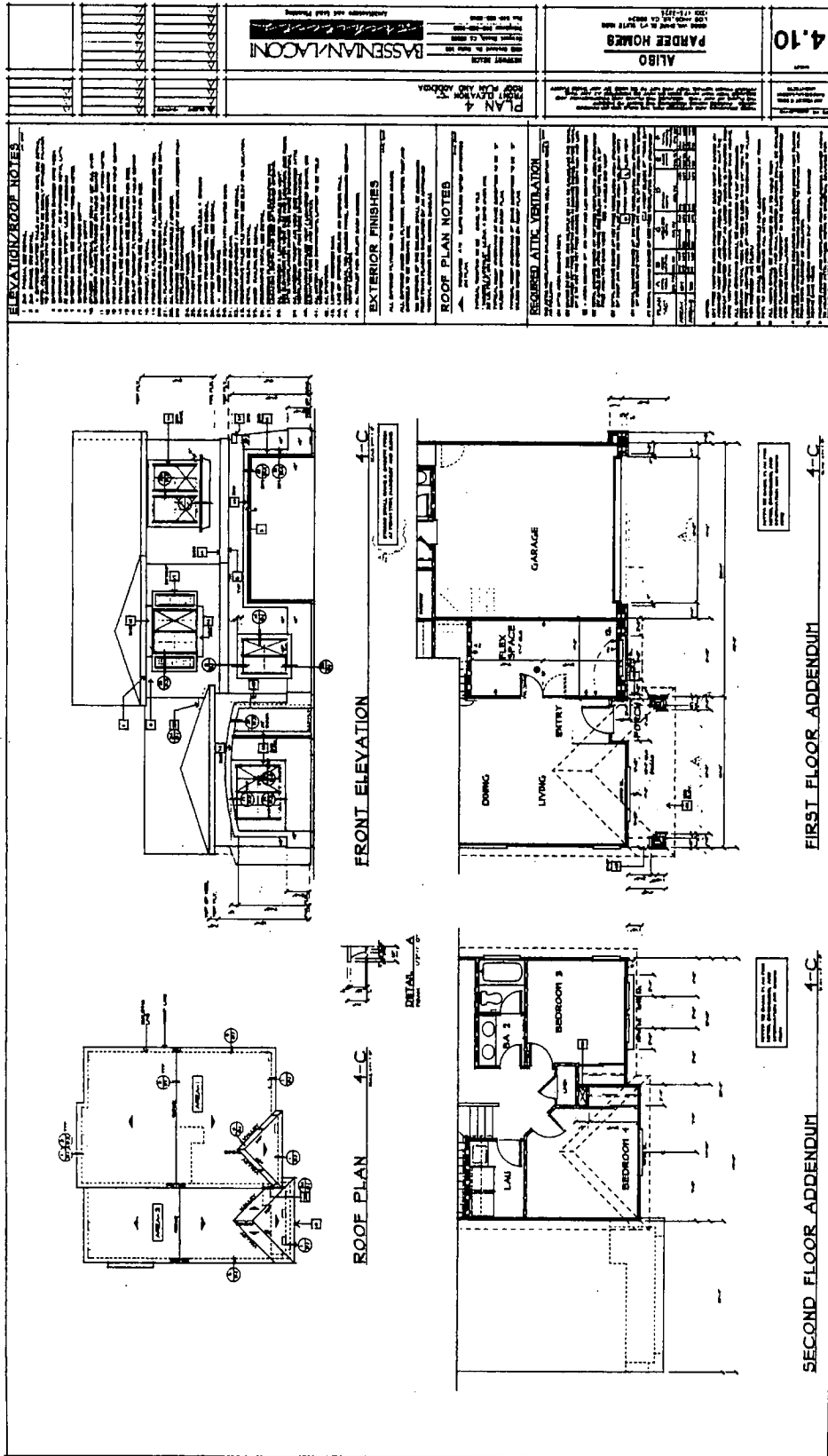


SQ. FOOTAGE	1119
SECOND FLOOR	250
TOTAL	250
EXPANDED GARAGE	631
SQ. FTG. B/ SITE OPT.	
FIRST FLOOR	1814
SECOND FLOOR	274
TOTAL	458



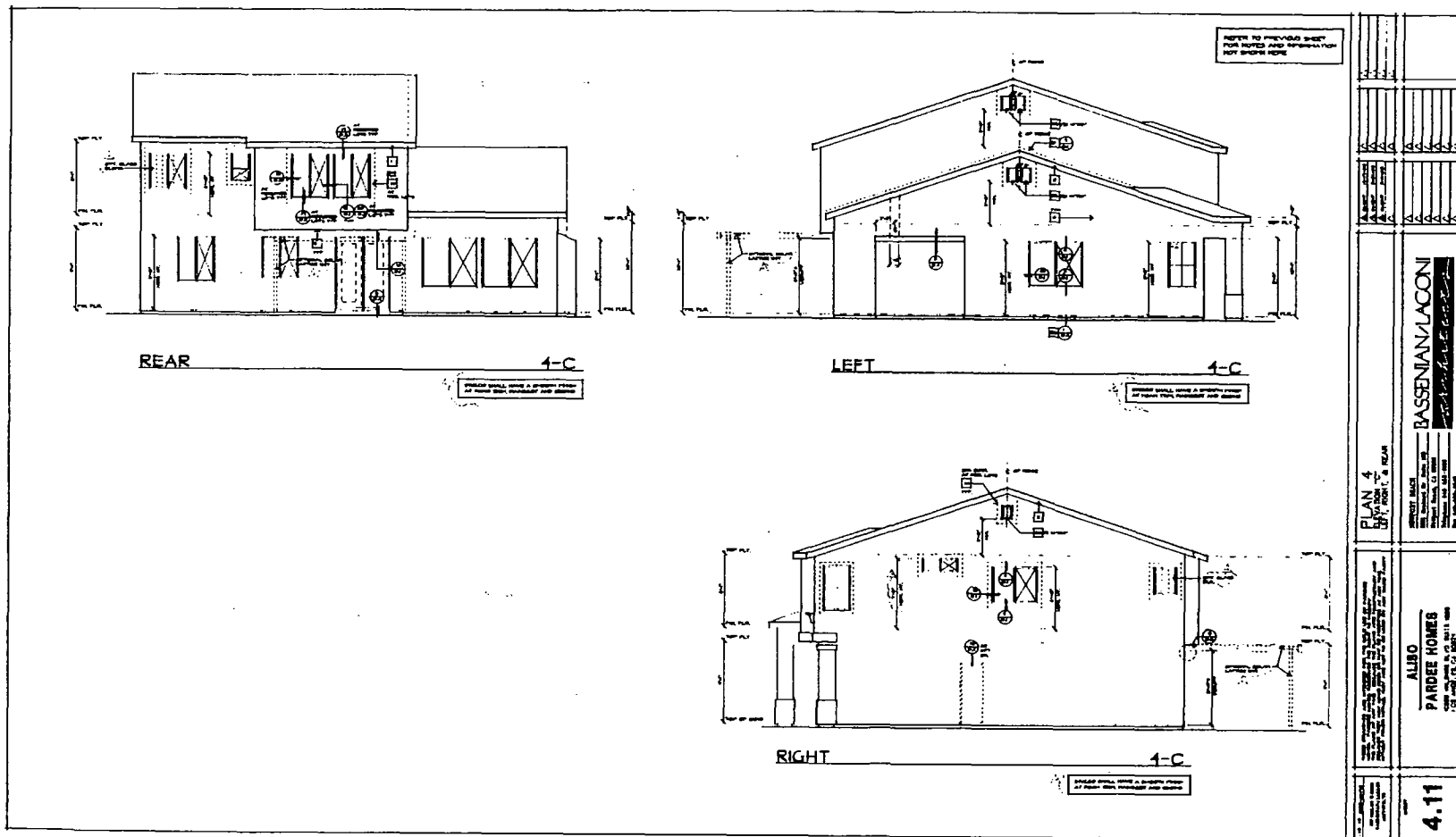
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11-04-04 PC



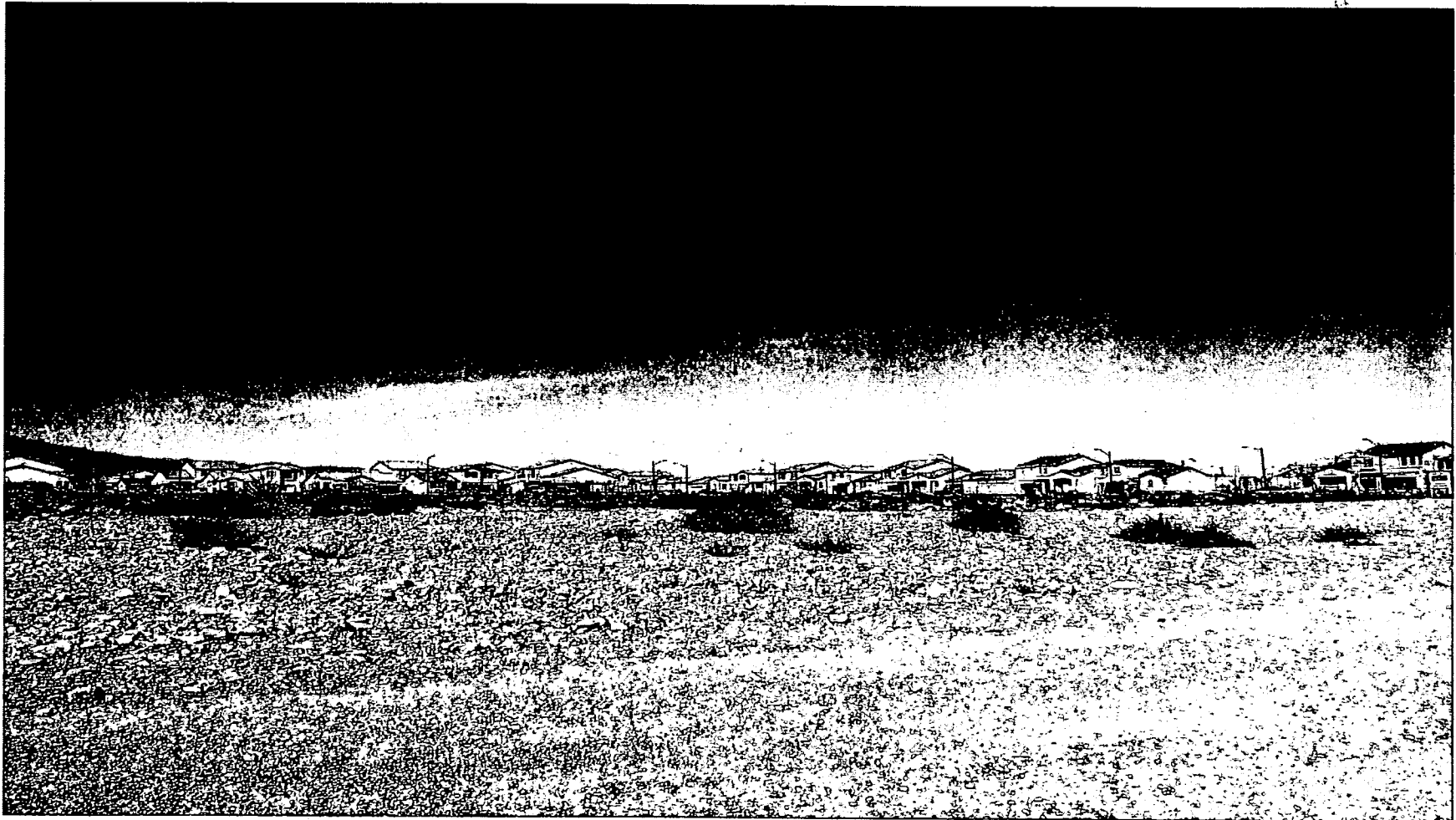
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SDR-5317
11-04-04 PC



SDR-5317
11-04-04 PC

RECEIVED
SEP 21 2004



SDR-5317 - APPLICANT: PARDEE HOMES OF NEVADA - OWNER: DANIEL M. CARPINO
SOUTHWEST CORNER OF FORT APACHE ROAD AND DORRELL LANE
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****GENERAL PLAN AMENDMENT**

GPA-5034 - ABEYANCE - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: H (HIGH DENSITY RESIDENTIAL) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	58
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

WEEKLY - ABEYANCE to 12/15/2004 note to be heard before 4:00 P.M. - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open on Item 109 [GPA-5034], Item 110 [ZON-4941], Item 111 [VAR-5035], Item 112 [VAR-5479] and Item 113 [SDR-5155].

DAVID LeGRAND, 2300 West Sahara Avenue, requested a two-week abeyance for the opportunity to continue discussions with the neighbors immediately adjacent to the proposed project. There was some miscommunication, to which he took responsibility.

COUNCILMAN WEEKLY noted he has had several meetings with the residents of Rancho Manor who expressed concern about an application of this magnitude. He understands the new urban lifestyle and the high-rise development concept. However, this development will abut established, mature neighborhoods. The project is very beautiful, but the applicant needs to continue working with the neighborhood because the consensus is that this is the wrong location. Many are of the opinion that this is a done deal and feel that several Council members already agreed to support the project as presented.

COUNCILMAN WEEKLY explained the applicant purchased the land with many uncertainties for the development of the three 28-story towers. There are many adjacency issues. Recently the three-story Signature Homes Project was approved and an environment has already been created where 854 units will be built. He felt the Planning Commission did not thoroughly address these issues. A lot has been imposed on this particular area; the widening of US95, the approval of a large billboard, the Rancho widening to support the Masonic Temple, the Alta Drive widening and the Martin Luther King neon

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

MINUTES - Continued:

project with the flyover. He indicated that the residents do not support the project, but he will give the applicant an opportunity to meet with the residents. This beautiful project probably deserves to go on the east side of the interstate.

MAYOR GOODMAN sympathized with the residents, but felt the applicant is entitled to make another presentation to the residents. Contrary to the residents' perception, this is not a done deal and the Council will listen to everyone and make a decision based on its merits. There have been no commitments made by his office or COUNCILMAN WEEKLY'S office. MAYOR GOODMAN asked the residents to consider the possibility of having a "big box" developed at this location, which would increase traffic. He asked to see the traffic study before the application comes back. COUNCILMAN WEEKLY asked that the study be provided to the entire Council, and asked that the Council listen to the residents' comments. He reiterated that several residents believe the Council has already made a decision.

MR. LeGRAND discussed with MAYOR GOODMAN the units are intended for people who live and work in the City. The smallest unit is 700 square feet with a price range of \$210,000. The largest unit will be approximately 2,200 square feet with a price of approximately \$660,000.

ROBERT GENZER, Director of Planning and Development Department, verified for MAYOR GOODMAN that a "big box", such as a Wal-Mart, could potentially go at this location. The current zoning is C-1 (Commercial).

COUNCILMAN WEEKLY indicated that some residents researched the Ambling Company and discovered that the company has built low-income high-rises, as well as a student-living dormitory. Therefore, their concern is that something similar might develop at this location, and would rather see the "big box".

EDDY BENOIT, Ambling Company, was aware of the residents' research of his company. Affordable and student housing is a large dimension of their business. However, this site does not lend itself to affordable Section 8 Subsidized housing or student housing. It would be too expensive. Most of them are done with the support of foundations. The third dimension of their business is land development, which encompasses high-rise condominiums. Many of these developments are affordable in the City of Las Vegas. The price on the Strip for a similar community starts at the high \$400 to \$600 per square foot. The development is targeted mainly for the working professionals that work downtown and have to deal with a long commute due to traffic congestions. With the new 7,000 square foot furniture mart and the existing Premium Outlet Mall there is no place for people to live. He reiterated they do not plan to build a Cabrini Green similar to the one in Chicago. They plan to build affordable housing ranging from \$220,000 to \$600,000. The majority will be \$300,000 per unit.

DANIEL DEEGAN, 1801 Granite Avenue, congratulated MARGO WHEELER, Deputy Director of Planning and Development Department, on her ratification as the new Director of Planning Department. He also congratulated MR. GENZER on his retirement. Rancho Manor Neighborhood Association got to know both of them and appreciate MS. WHEELER'S ability and hard work, and the great help that MR. GENZER has given to them over the last four years. He will be missed.

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

MINUTES - Continued:

MR. DEEGAN indicated the residents have been working on this project for a long time. He expressed concern about what will happen once the condos are bought. The condos' owners could further sub-lease. This is too much of an open-ended project. The Planning Commission looked at this request with very uncritical eyes and through rose-colored glasses. He urged the City Council to look at this project carefully and skeptically. MR. DEEGAN commented that in the past the residents were able to work with Planning staff even before the application came forward. However, in this case this did not happen. He asked the City Council to encourage applicants to work with neighborhood groups from the beginning.

FRANK PERONE, 120 Shadow Lane, thanked COUNCILMAN WEEKLY for the abeyance. He indicated that the residents would be meeting to discuss this issue.

EDITH WILLIAMSON, 501 Shadow Lane, stated she was never invited to any of the meetings. COUNCILMAN WEEKLY responded that several were held. He asked that she provide her name to MRS. HORN, who schedules the neighborhood meetings.

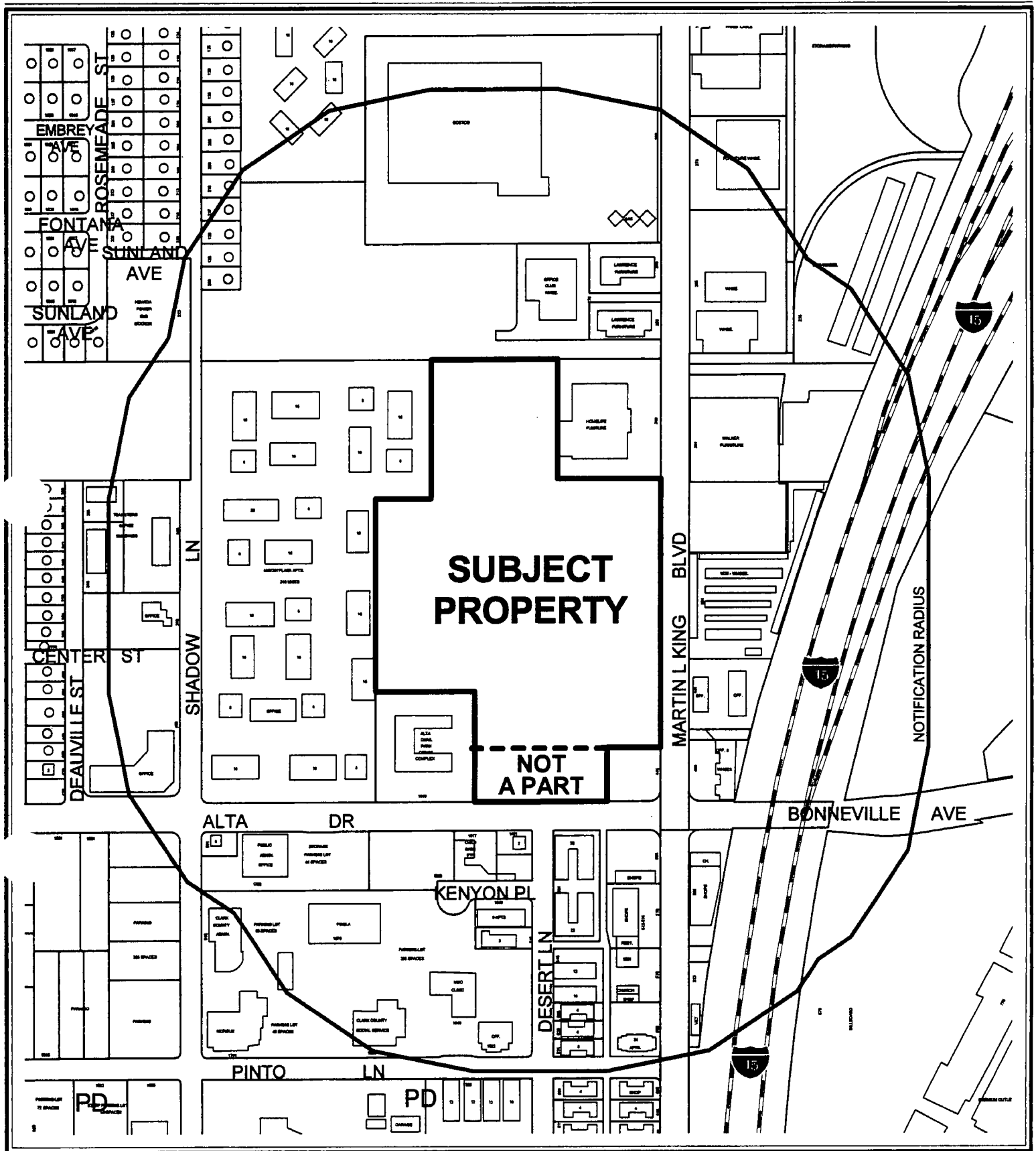
MR. LeGRAND pointed out they held three meetings with the neighborhood association at COUNCILMAN WEEKLY'S request. In fact, the notification radius was expanded from the original mandatory mailing. They will continue their diligent efforts to work with the association and members of the community. They have made every effort to communicate with the association.

JEAN EDWARD, 2000 Sunland Avenue, indicated that even though the applicant expanded the notification radius, it was not enough. Her neighborhood comprises approximately 560 homes and many did not receive the notification. When she received it, she informed the residents about what would be happening. MAYOR GOODMAN affirmed that the notification radius encompassed Pinto Lane, across the freeway, the property where the furniture mart is located, past Sunland Avenue, and between Dovell and Shadow Lane.

MAYOR GOODMAN declared the Public Hearing closed on Item 109 [GPA-5034], Item 110 [ZON-4941], Item 111 [VAR-5035], Item 112 [VAR-5479] and Item 113 [SDR-5155].

(3:25 - 3:53)

5-530



CASE: GPA-5034

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

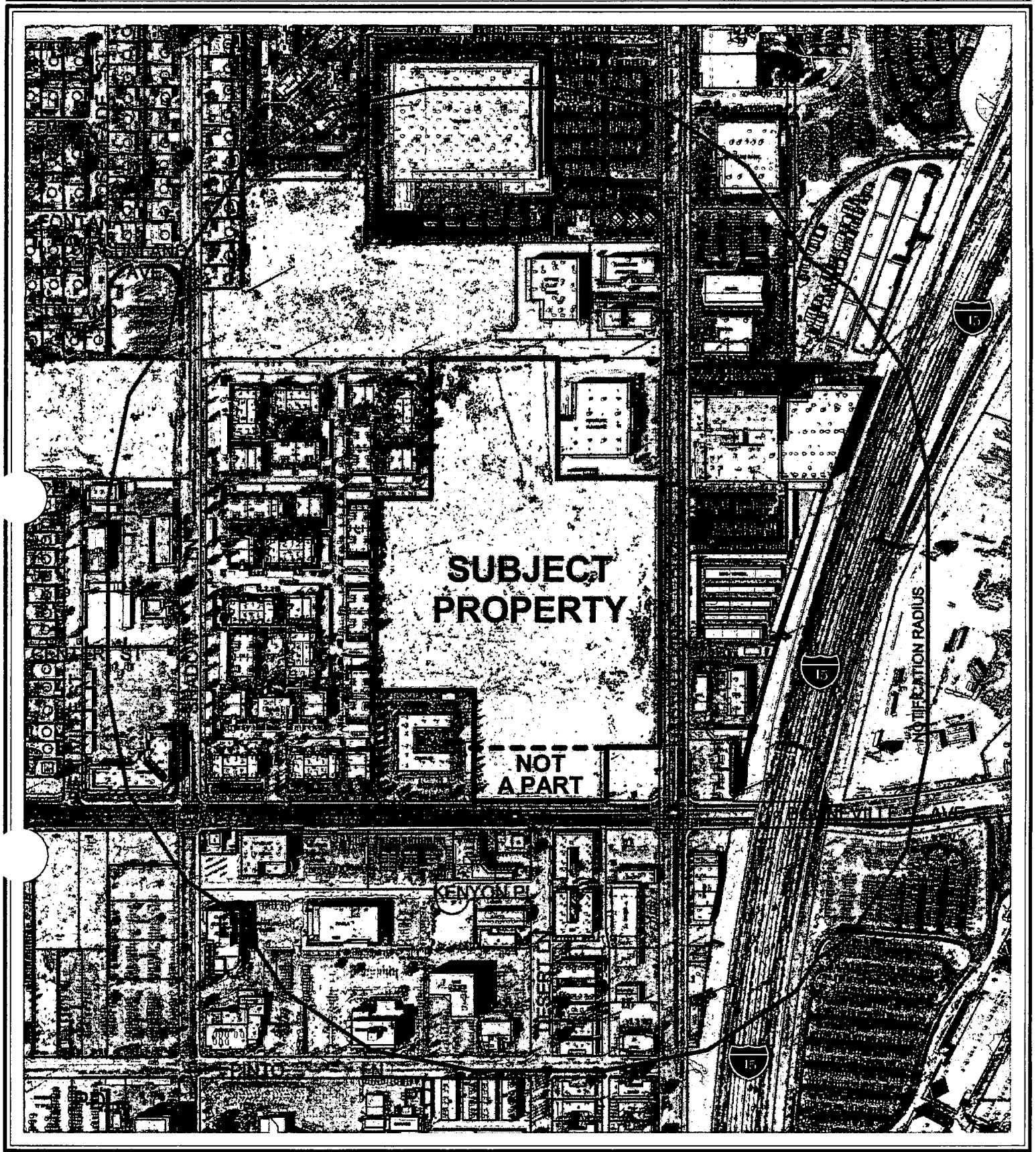
SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

0 300 600 Feet





CASE: GPA-5034

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

H (HIGH DENSITY RESIDENTIAL)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5034 - APPLICANT: AMBLING
MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to change the General Plan land use designation on a 13.72 acre portion of the larger 16.78 acre parcel located north of Alta Drive and west of Martin Luther King Boulevard from SC (Service Commercial) to H (High Density Residential). A related Rezoning (ZON-4941), Variance (VAR-5035), and Site Development Plan Review (SDR-5155) will be considered concurrently.

BACKGROUND DATA

- | | |
|----------|--|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject property was designated for SC (Service Commercial) and M (Medium Density Residential) land uses with a maximum density of 20 dwelling units per acre. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 09/06/99 | The City Council approved GPA-10-00 to amend portions of the Southeast Sector Plan to indicate areas of potential transition, correct errors from GIS data conversion, and match actions since 1996. |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Reurbanization Area as described in the Plan. |
| 10/21/04 | The Planning Commission held this item in abeyance to the 11/04/04 Planning Commission Meeting in an effort to allow for further analysis of the potential traffic impacts of the project, and to provide the results of that analysis to the Commission. |
| 11/04/04 | The Planning Commission recommended approval of a related Rezoning (ZON-4941), Variance (VAR-5035) and Site Development Plan Review (SDR-5155). Staff recommends approval of the requests. |
| 11/04/04 | The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #21/ff). |

DETAILS OF APPLICATION REQUEST

Site Area: 13.72 Acres (Overall parcel size is 16.78 acres)

EXISTING LAND USE

Subject Property: Unimproved Land
 North: Unimproved Land
 Furniture Warehouse Stores
 South: Shops
 Medical Offices
 Clinic
 East: Mini-Warehouses
 Offices
 Furniture Warehouse Store
 West: Apartments

PLANNED LAND USE

Subject Property: SC (Service Commercial) [PROPOSED: H (High Density Residential)]
 North: M (Medium Density Residential)
 SC (Service Commercial)
 South: UMC (Las Vegas Medical District)
 East: DTR (Downtown Redevelopment)
 West: M (Medium Density Residential)

EXISTING ZONING

Subject Property: C-1 (Limited Commercial) [PROPOSED: R-PD (Planned Development)]
 North: C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development - 11 Units Per Acre)
 C-2 (General Commercial)
 South: PD (Planned Development)
 East: M (Industrial)
 West: R-PD19 (Residential Planned Development - 19 Units Per Acre)

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

DEFINITIONS

H (High Density Residential) The density range allowed is anything greater than 25 dwelling units/gross acre. The High Density Residential category permits residential planned development and other urban residential developments.

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

INTERAGENCY ISSUES

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 meet the definition of a Project of Regional Significance as defined in the ordinance, and has notified the applicant to prepare an impact report as required by the Ordinance for referral to Clark County.

The impact report prepared by the applicant addressed the impact of the proposed development on traffic, classroom size, emergency services, housing, mass transit, open space, and recreation facilities. The Regional Transportation Commission and the Las Vegas Valley Water District have determined that the proposed development will have no significant impact. The Las Vegas Metropolitan Police Department has noted that the additional residents will impact response times and quality of service, but has not required mitigation. No comment has been received from Clark County or the Clark County School District.

ANALYSIS

The proposal to change the existing land use designation from SC (Service Commercial) to H (High Density Residential) on a 13.72 acre portion of the larger site is generally appropriate for the area in which it is located. The parcels to the north and west of the site are designated M (Medium Density Residential), and the area to the south is designated for the Las Vegas Medical District. A small strip of land immediately to the east is designated LI/R (Light Industrial/Research); while the residential designation is not generally compatible with the industrial designation, it does serve as a transition to the less-intense residential designations to the west. Consequently, the proposed General Plan Amendment appropriately fits the gradient of land uses from east to west as they progress from industrial uses to low-density residential uses.

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 that include approved neighborhood plans.

In regard to “1”: The proposed land use designation is compatible with the existing adjacent land use designations.

In regard to “2”: The proposed residential designation is compatible with the existing adjacent land uses and zoning districts.

In regard to “3”: The site has access to public transportation, utilities, and the existing street network has sufficient capacity to accommodate the uses allowed by the land use designation. While recreation facilities in the immediate vicinity are limited, the proposed R-PD zoning designation does require the provision of open space for residents.

In regard to “4”: The proposed amendment conforms to adopted plans and policies.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/14/04 A neighborhood meeting was held by the applicant as required. There were 20 members of the public in attendance at the meeting; the following questions were raised:

- The need for a traffic study was identified, in order to determine impacts to the adjacent residential neighborhoods.
- A question was raised as to whether or not a variance had been granted for the commercial project to the west of the subject site.
- One of the attendees asked if residential adjacency requirements had been applied to the R-PD11 project to the north.

NOTICES MAILED: 368 by Planning Department

APPROVALS: 2

PROTESTS: 58



GPA-5034 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



GPA-5034 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

REZONING RELATED TO GPA-5034

ZON-4941 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Rezoning FROM: C-1 (LIMITED COMMERCIAL) TO: R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT – 50 UNITS PER ACRE) on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

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

MOTION:

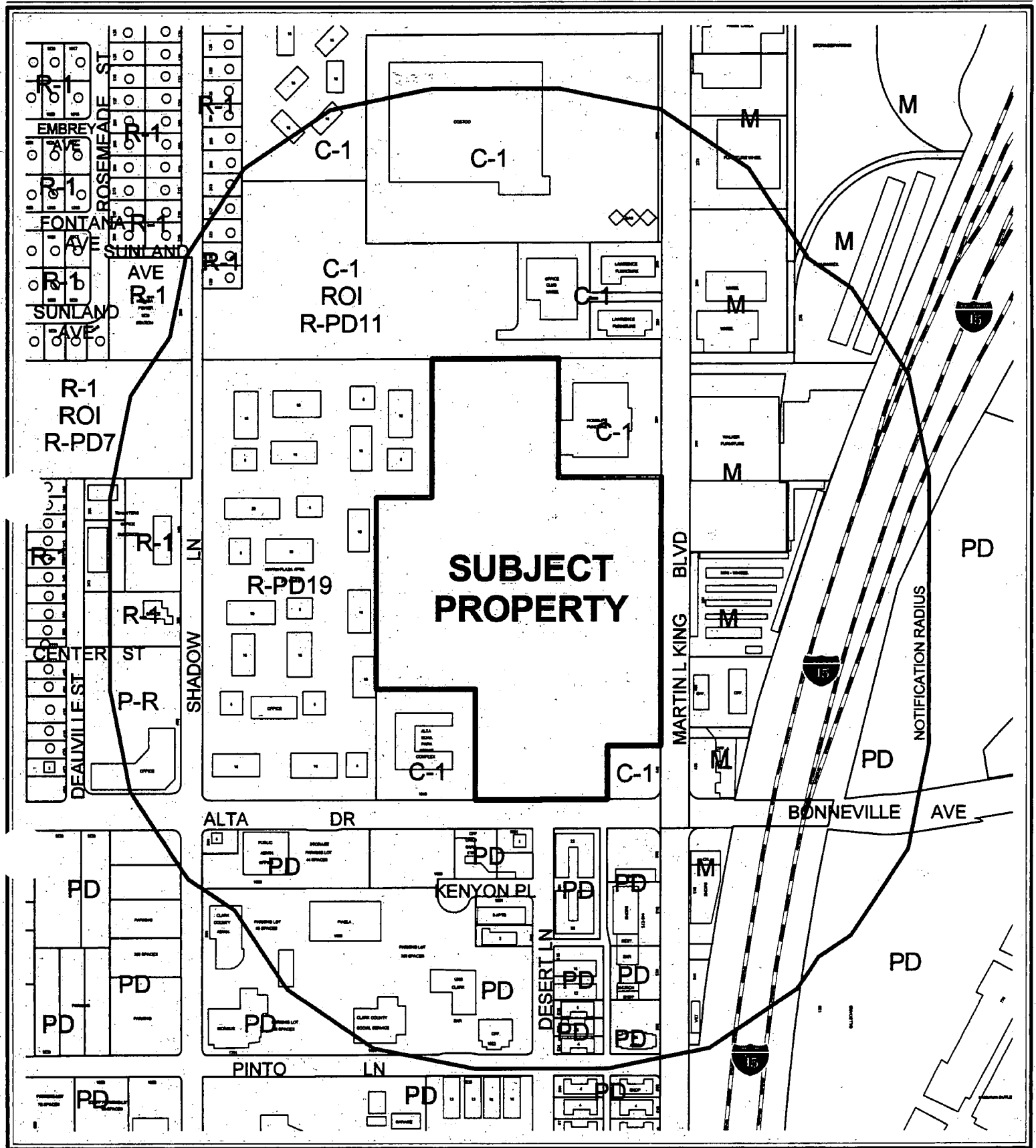
WEEKLY - ABEYANCE to 12/15/2004 not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 109 [GPA-5034] for all related discussion.

(3:25 - 3:53)

5-530



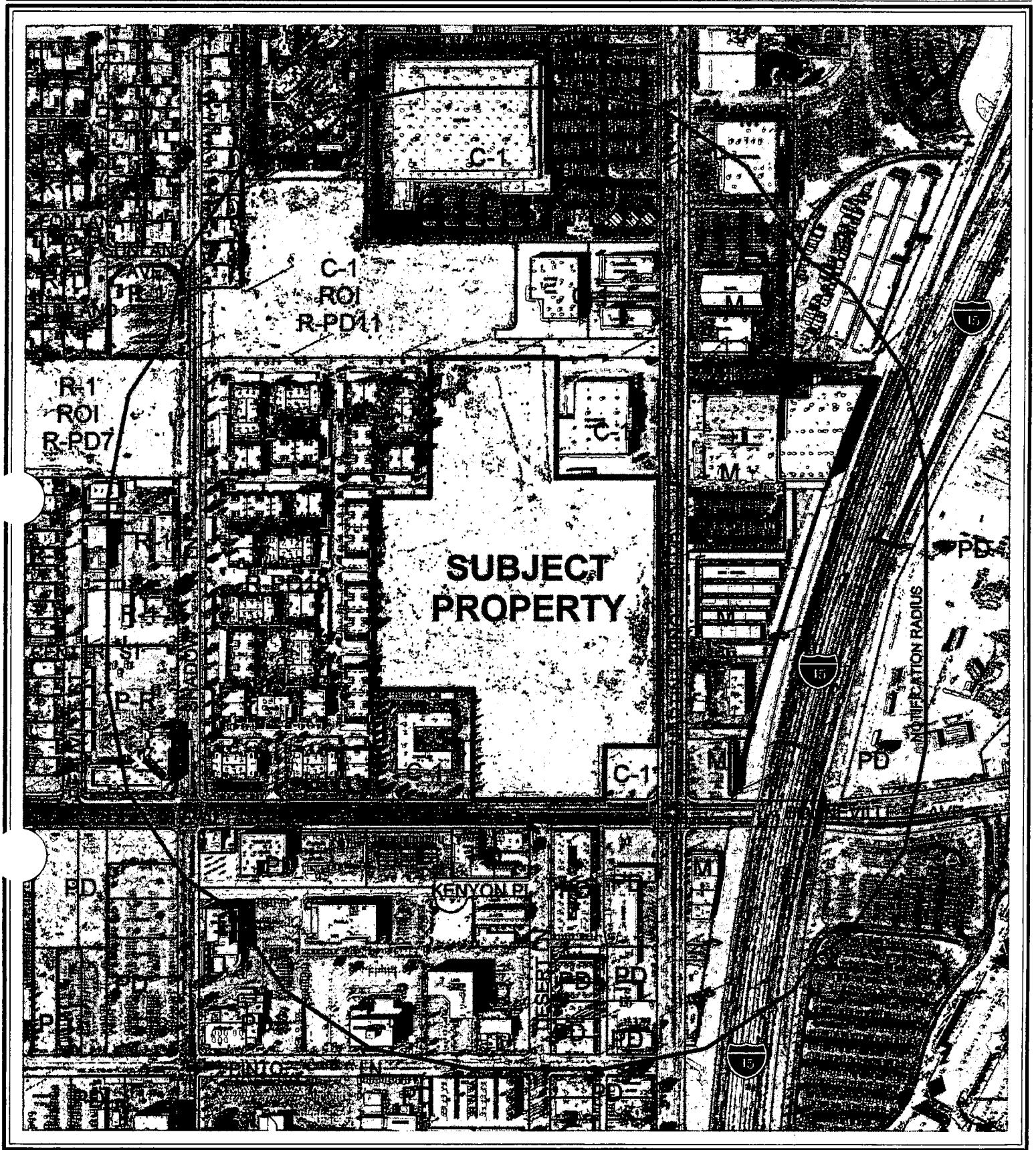
CASE: ZON-4941

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)



CASE: ZON-4941

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - ZON-4941 – APPLICANT: AMBLING
MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A General Plan Amendment (GPA-5034) to a High Density Residential land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit.
3. A Site Development Plan Review (SDR-5155) application approved by the Planning Commission and City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate the location and right-of-way requirements for the Martin L. King Boulevard flyover project with the Nevada Department of Transportation (N.D.O.T.) prior to the issuance of any permits or the submittal of a Tentative Map for this site, whichever may occur first.
5. Dedicate an additional 20 feet of right-of-way adjacent to this site for Alta Drive and Martin L. King Boulevard concurrent with development of this site.
6. Dedicate additional rights-of-way in accordance with Clark County Area Standard Drawings #201.1 for right and left turn lanes at the intersection of Alta Drive and Martin L. King Boulevard adjacent to this site. Construction of improvements on these rights-of-way is required concurrent with construction of this project unless otherwise directed by the City Engineer.
7. Dedicate additional rights-of-way in accordance with Clark County Area Standard Drawings #234.1 or 234.3 on Alta Drive west of Martin L. King Boulevard adjacent to this site. Construction of improvements is required concurrent with construction of this project unless otherwise directed by the City Engineer. Right-of-way or easements in accordance with Clark County Standard Drawing #234.2 is required if requested by the Regional Transportation Commission.

8. 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. Construct all incomplete half-street improvements on Alta Drive and Martin L. King Boulevard adjacent to this site concurrent with development of this site.
9. If not already constructed at time of development, construct the oversized Clark Avenue sewer main from Las Vegas Boulevard to 14th Street. Coordinate with the Collection Systems Planning Section of Public Works to determine appropriate public sewer paths to service this site prior to the submittal of any sewer-related construction drawings. The offsite public sewer improvements will be required to provide capacity for this project.
10. 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).
11. 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.
12. 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.

13. Landscape and maintain all unimproved rights-of-way on Alta Drive and Martin L. King Boulevard adjacent to this site.
14. Submit an application for an Occupancy Permit for all landscaping and private improvements in the Martin L. King Boulevard public right-of-way adjacent to this site prior to the issuance of any permits. Submit an Encroachment Agreement for all landscaping and private improvements located in the Alta Drive public right-of-way adjacent to this site prior to issuance of any permits for this site.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This request is for a Rezoning from C-1 (Limited Commercial) to R-PD50 (Residential Planned Development-50 units per acre) on 13.72 acres of a larger 16.78 acre site, located north of Alta Drive and west of Martin L. King Boulevard. The remaining portion of the parcel will retain the existing C-1 (Limited Commercial) zoning. A related General Plan Amendment (GPA-5034), Variance (VAR-5035), and Site Development Plan Review (SDR-5155) will be considered concurrently.

B) Applicant's Justification

It is expected that this development will help to revitalize the Downtown area and stabilize the neighborhoods in the surrounding area and diversify the economic base in the vicinity.

The proposed condominium development site is currently zoned "C-1" which will not allow for this sort of development. Accordingly, an application for "R-PD" zoning has been filed.

Similarly, the current Land Use Designation is Service Commercial and a redesignation to High Density Residential has also been filed. However, neither of these redesignations will be beneficial if the 3:1 height restriction in relation to adjacent structures is not eliminated. Because of this, an application for a Variance from height restrictions has been filed.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|---|
| 08/17/60 | A request to Rezone a portion of the subject property from R-1 (Single-Family Residential) to R-4 (High Density Residential) was approved by City Council. The Planning Commission recommended approval of the request. |
| 05/22/03 | A request for approval of a Tentative Map (TMP-1990) for a one-lot commercial subdivision (Alta Business Park) was Withdrawn without Prejudice by the applicant at the Planning Commission meeting. |
| 10/21/04 | The Planning Commission held this item in abeyance in an effort to allow for further analysis of the potential traffic impacts of the project, and to provide the results of that analysis to the Commission. |
| 11/04/04 | The Planning Commission recommended approval of related General Plan Amendment (GPA-5034), Variance (VAR-5035), and Site Development Plan Review (SDR-5155). Staff recommends approval of the requests. |

11/04/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #22).

B) Pre-Application Meeting

07/27/04 Elements of a Rezoning application were discussed.

C) Neighborhood Meetings

09/14/04 At the neighborhood meeting, issues were discussed relative to a traffic study, whether or not variances had been granted for the commercial project to the west, and whether Residential Adjacency Standards had been applied to the residential project to the north.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 13.72 (Overall parcel size is 16.78 acres)

B) Existing Land Use

Subject Property: Unimproved Land
North: Unimproved Land
Furniture Warehouse Stores
South: Shops
Medical Offices
Clinic
East: Mini-Warehouses
Offices
Furniture Warehouse Store
West: Apartments

C) Planned Land Use

Subject Property: SC (Service Commercial) [PROPOSED: H (High Density Residential)]
North: M (Medium Density Residential)
SC (Service Commercial)
South: UMC (Las Vegas Medical District)
East: DTR (Downtown Redevelopment)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial) [proposed for R-PD (Planned Development)]
North: C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development - 11 Units Per Acre)
C-2 (General Commercial)
South: PD (Planned Development)
East: M (Industrial)
West: R-PD19 (Residential Planned Development - 19 Units Per Acre)

E) General Plan Compliance

The Southeast Sector Map of the General Plan designates the parcel as SC (Service Commercial). The SC (Service Commercial) designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, that do not include more intense general commercial characteristics. The proposed retail use is in conformance with the General Plan designation; the applicant has submitted a General Plan Amendment (GPA-5034) in order to designate the majority of the property for H (High Density Residential) uses.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District (175 Feet)	X	
Trails	X	
Rural Preservation Neighborhood		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 175 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

Trails

The Transportation Trails Element of the General Plan designates the north side of Alta Drive for the development of a Multi-Use Transportation Trail. The applicant will be required to provide a ten-foot wide trail along the front of the property with two five-foot wide landscape buffers on either side of the trail.

A) General Analysis and Discussion

The proposed Rezoning will change the zoning on 13.72 acres of the parcel from C-1 (Limited Commercial) to R-PD50 (Residential Planned Development) in order to permit multifamily development on the site. At 50 units per acre, the proposed density of the project is consistent with the proposed H (High Density Residential) General Plan designation, which allows density greater than 25 units per acre and has no maximum density limit.

The proposed Rezoning will convert the majority of a large commercial site to residential uses, which will reduce the intensity of uses permitted on the site. As the parcel abuts a multifamily development to the west and a proposed medium-density residential development to the north, the proposed Rezoning will actually assist in serving as an additional buffer area for the residential neighborhoods to the west. As the property fronts on Martin Luther King Boulevard, which is designated as a Primary Arterial and is planned for a significant expansion, the proposed high-density housing development is more appropriate for the site than low or medium-low density housing.

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 current General Plan designation for the site is SC (Service Commercial); the applicant has submitted a General Plan Amendment (GPA-5034) in order to change the designation to H (High Density Residential). The proposed Rezoning is consistent with the proposed H (High Density Residential) General Plan designation.

2. "The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts."

The proposed residential use will be compatible with the properties to the west and to the north of the subject parcel, and will serve as a transition from more intense commercial development to the east.

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

The subject site is adjacent to the downtown core, which has been identified for the construction of additional housing units in order to support commercial activities and mass transit.

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 adjacent street facilities will be adequate to serve the proposed development; the proposed development plan will assist with the widening of Martin Luther King Boulevard by providing additional right-of-way area.

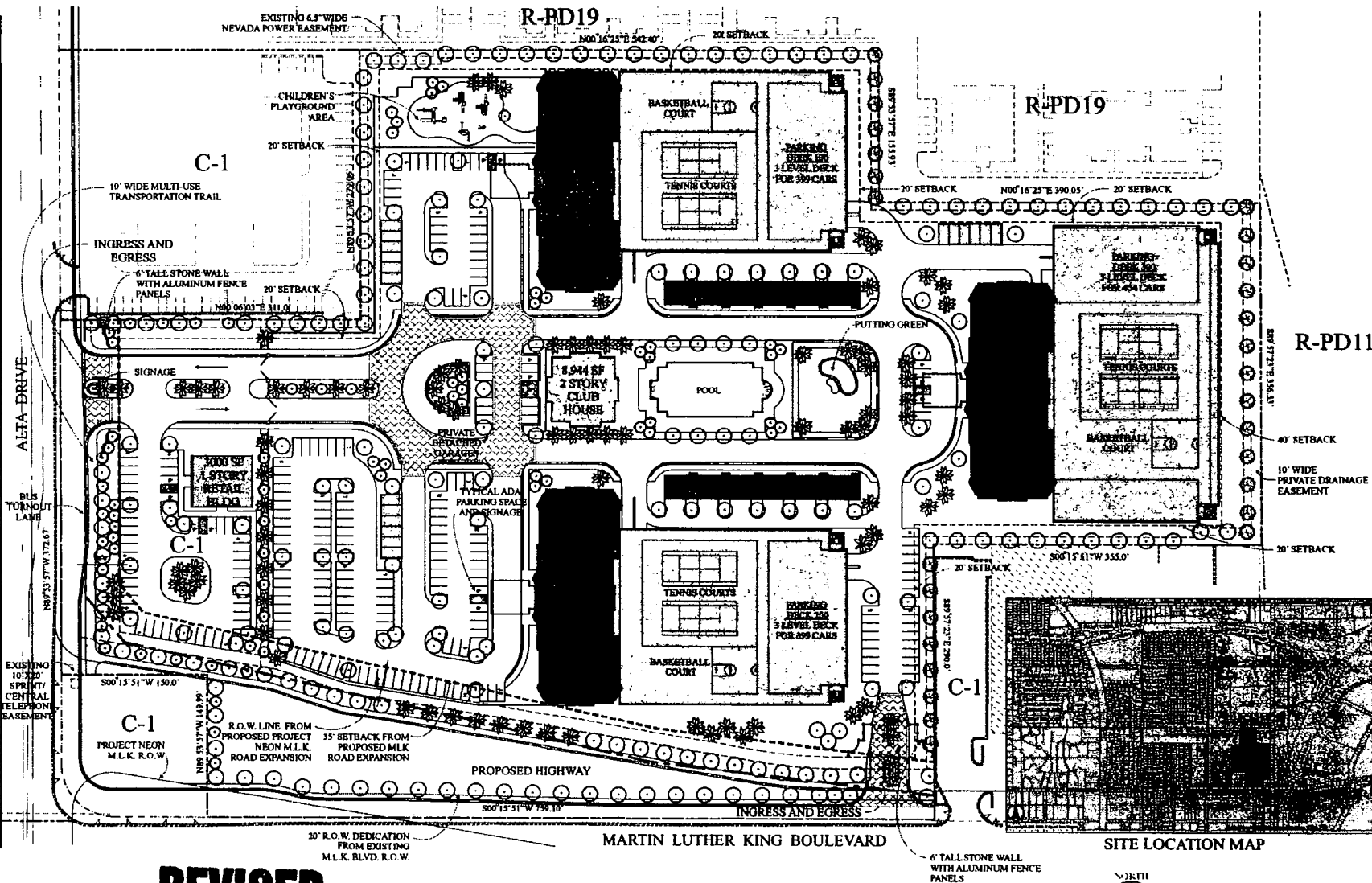
NOTICES MAILED 368 by Planning Department

APPROVALS 2

PROTESTS 58



SITE DATA	
SITE AREA = 14.78 ACRES	
BLDG 100	
276 UNITS (27 STORIES)	
3 LEVEL PARKING DECK	
399 SPACES TOTAL	
(INCLUDES 9 ACCESSIBLE SPACES AND 1 VAN ACCESSIBLE SPACE)	
AREA CALCULATIONS	
BUILDING FOOTPRINT:	66,223 SF
PARKING DECK FOOTPRINT:	50,097 SF
TOTAL BUILDING:	418,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK:	136,108 SF
BLDG 100	
276 UNITS (27 STORIES)	
3 LEVEL PARKING DECK	
399 SPACES TOTAL	
(INCLUDES 9 ACCESSIBLE SPACES AND 1 VAN ACCESSIBLE SPACE)	
AREA CALCULATIONS	
BUILDING FOOTPRINT:	66,223 SF
PARKING DECK FOOTPRINT:	50,097 SF
TOTAL BUILDING:	418,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK:	136,108 SF
BLDG 100	
276 UNITS (27 STORIES)	
3 LEVEL PARKING DECK	
399 SPACES TOTAL	
(INCLUDES 9 ACCESSIBLE SPACES AND 1 VAN ACCESSIBLE SPACE)	
AREA CALCULATIONS	
BUILDING FOOTPRINT:	73,062 SF
PARKING DECK FOOTPRINT:	56,936 SF
TOTAL BUILDING:	418,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK:	157,611 SF
AREA TOTALS:	
GRASS AREA OF THE THREE CONDOMINIUM BUILDINGS (INCLUDES BALCONIES)	1,466,763 SF
TOWNHOMES	
12 UNITS (2 STORIES + GARAGE)	
2,520 SF EACH:	
30,240 SF	
CLUBHOUSE 2 STORIES	
8,944 SF	
RETAIL 1 STORY	
3,000 SF	
PARKING DECKS	
429,807 SF	
F.A.R. RESIDENTIAL AREA / SITE AREA = 2.85	
(EXCLUDES AREA OF PARKING DECKS)	
TOTAL UNITS = 848	
DENSITY = 58.0 UNITS/ACRE	
PARKING DECK SPACES = 1,252	
RURAL E-SPACE = 192 (7 ARE HDX ACCESSIBLE)	
DETACHED GARAGE SPACES = 18	
ATTACHED GARAGE SPACES = 24	
TOTAL RESIDENTIAL PARKING SPACES = 1,486	
= 1.77 SPACES/UNIT	
RETAIL SPACES = 46 (4 ARE ACCESSIBLE)	
NOTE:	
STANDARD PARKING SPACE = 9' X 18'	
HDX ACCESSIBLE SPACE = 9' X 18' PLUS 5' ACCESS AISLE	
VAN ACCESSIBLE SPACE = 9' X 18' PLUS 8' ACCESS AISLE	



REVISED
11-12-04

SITE DEVELOPMENT PLAN
ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

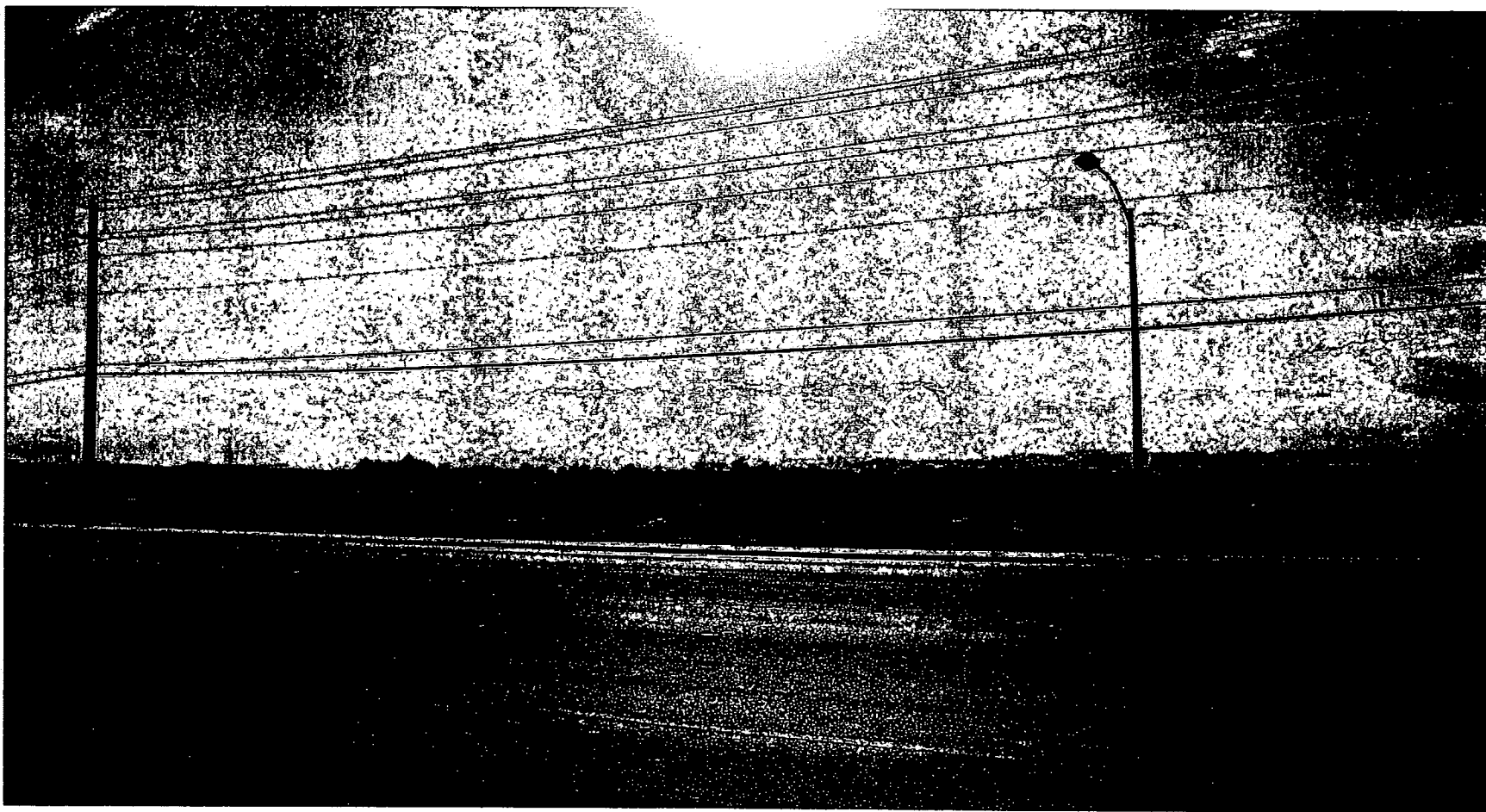
REVISED

RECEIVED

NOV 12 2004

Edwin R. Kimsey Jr., AIA
Architect - Urban Design - Planning
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E-mail: edkimsey@aia.com
NOT RELEASED FOR CONSTRUCTION

AMBLING
COMPANIES
GPA-5034
ZON-4941
VAR-5035
SDR-5155



ZON-4941 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION



ZON-4941 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-5034 AND ZON-4941

VAR-5035 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Variance TO ALLOW A 20 FOOT SETBACK WHERE 1,212 FEET IS REQUIRED on 16.78 acres north of Alta Drive and west Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development - 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

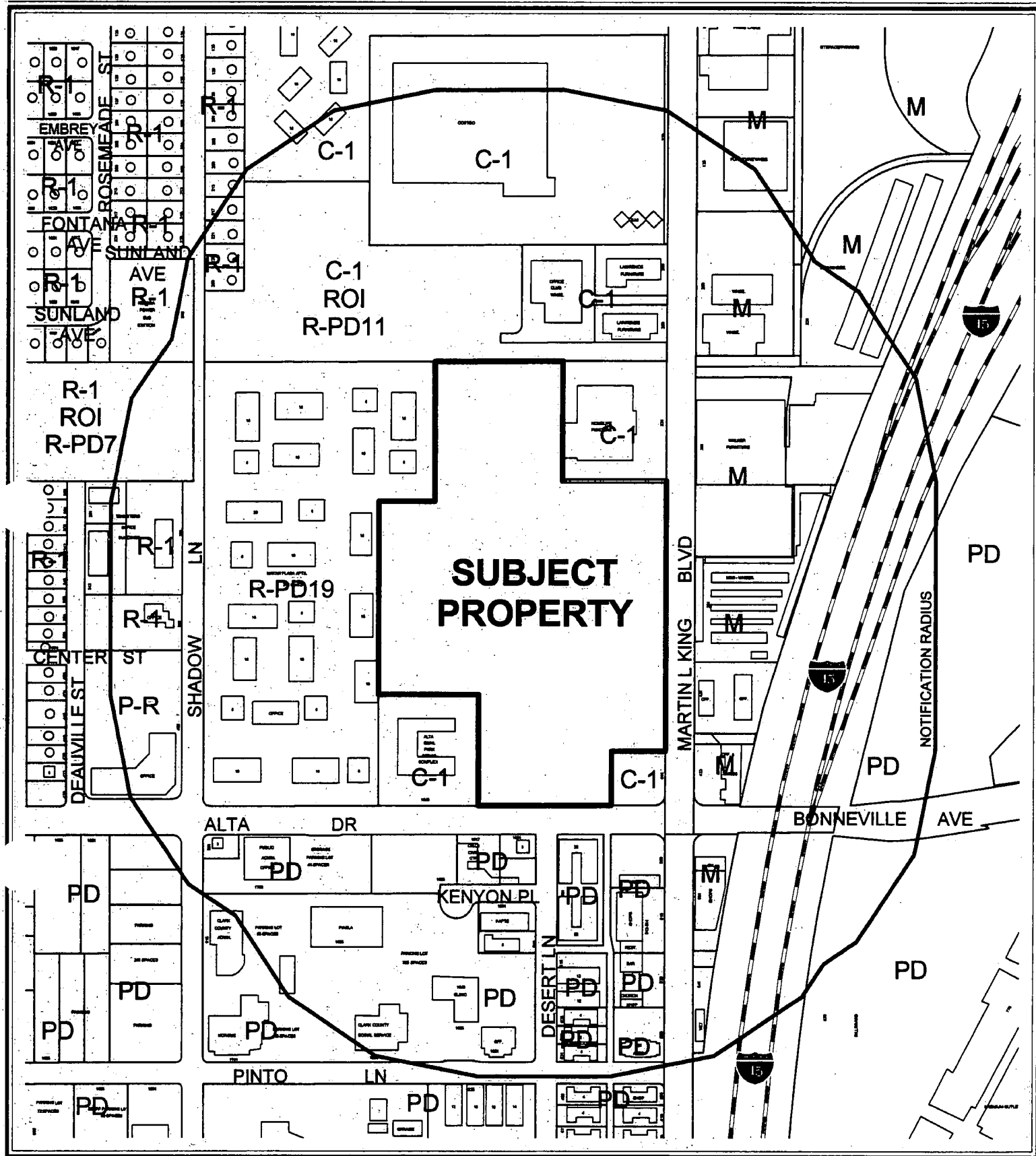
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY - ABEYANCE to 12/15/2004 not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 109 [GPA-5034] for all related discussion.
(3:25 - 3:53)
5-530



CASE: VAR-5035

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)

0 300 600 Feet



111



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - VAR-5035 – APPLICANT: AMBLING
MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with all conditions of approval of General Plan Amendment GPA-5034, Rezoning ZON-4941, and Site Plan Review SDR-5155 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.
3. The applicant shall acquire all necessary permits from the Department of Building and Safety.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance of Residential Adjacency Standards to allow a 20-foot setback where 885 feet is required on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard. A related General Plan Amendment (GPA-5034), Rezoning (ZON-4941) and Site Development Plan Review (SDR-5155) will be considered concurrently.

B) Applicant's Justification

It is expected that this development will help to revitalize the Downtown area and stabilize the neighborhoods in the surrounding area and diversify the economic base in the vicinity.

The proposed condominium development site is currently zoned "C-1" which will not allow for this sort of development. Accordingly, an application for "R-PD" zoning has been filed.

Similarly, the current Land Use Designation is Service Commercial and a redesignation to High Density Residential has also been filed. However, the redesignation will not be beneficial if the 3:1 height restriction in relation to adjacent structures is not eliminated. Because of this, an application for a Variance from height restrictions has been filed.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 08/17/60 | A request to Rezone a portion of the subject property from R-1 (Single-Family Residential) to R-4 (High Density Residential) was approved by City Council. The Planning Commission recommended approval of the request. |
| 05/22/03 | A request for approval of a Tentative Map (TMP-1990) for a one-lot commercial subdivision (Alta Business Park) was Withdrawn without Prejudice by the applicant at the Planning Commission meeting. |
| 10/21/04 | The Planning Commission held this item in abeyance to the 11/04/04 PC Meeting in an effort to allow for further analysis of the potential traffic impacts of the project, and to provide the results of that analysis to the Commission. |

11/04/04 The Planning Commission recommended approval of a related General Plan Amendment (GPA-5034), Rezoning (ZON-4941) and Site Development Plan Review (SDR-5155). Staff recommends approval of the requests.

11/04/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #23/ff).

B) Pre-Application Meeting

07/27/04 At the pre-application conference, issues were discussed relative to the placement of the towers and impacts to the single-family residences to the west.

C) Neighborhood Meetings

09/14/04 At the neighborhood meeting, issues were discussed relative to a traffic study, whether or not variances had been granted for the commercial project to the west, and whether Residential Adjacency Standards had been applied to the residential project to the north.

DETAILS OF APPLICATION REQUEST

A) Site Area

Net Acres: 16.78

B) Existing Land Use

Subject Property: Unimproved Land
North: Unimproved Land
Furniture Warehouse Stores
South: Shops
Medical Offices
Clinic
East: Mini-Warehouses
Offices
Furniture Warehouse Store
West: Apartments

C) Planned Land Use

Subject Property: SC (Service Commercial); [PROPOSED: H (High Density Residential)]
North: M (Medium Density Residential)
SC (Service Commercial)
South: UMC (Las Vegas Medical District)
East: DTR (Downtown Redevelopment)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial); [PROPOSED: R-PD (Planned Development)]
North: C-1 (Limited Commercial) under Resolution of Intent to R-PD11 (Residential Planned Development - 11 Units Per Acre)
C-2 (General Commercial)
South: PD (Planned Development)
East: M (Industrial)
West: R-PD19 (Residential Planned Development - 19 Units Per Acre)

E) General Plan Compliance

The Southeast Sector Map of the General Plan designates the parcel as SC (Service Commercial). The SC (Service Commercial) designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed retail use is in conformance with the General Plan designation; the applicant has submitted a General Plan Amendment (GPA-5034) in order to designate the bulk of the property for H (High Density Residential) uses.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District (175 feet)	X	
Trails	X	
Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 175 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

Trails

The Transportation Trails Element of the General Plan designates the north side of Alta Drive for the development of a Multi-Use Transportation Trail. The applicant will be required to provide a ten-foot wide trail along the front of the property with two five-foot wide landscape buffers on either side of the trail.

A) Zoning Code Compliance

A1) Residential Adjacency Standards

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

- a) Proximity slope. The north tower is located approximately 205 feet from the recently-approved R-PD11 development to the north, the west tower is located approximately 660 feet from the recently-approved R-PD7 development to the west, and the east tower is located approximately 670 feet from the R-PD11 property to the north. Based on a height of 295 feet, the towers would need to be 885 feet from the nearest single-family property.
- b) Building setback. The proposed structures will exceed the minimum required 15-foot setback.

B) General Analysis and Discussion

The proposed towers will be a total 295 feet high, as measured to the top of the uppermost roof structure. Based on this height, the towers would need to be set back a total of 885 feet from the nearest single-family residential property or property which is designated for such development in the General Plan. The north tower will be located approximately 205 feet from the R-PD11 property to the north, and the three-story parking structure will be located 40 feet from the common property line with the R-PD11 development. The west tower and its parking structure will be located approximately 660 feet from an approved R-PD7 development to the west. The east tower will be located approximately 670 feet from the R-PD11 property to the north, but there is an existing commercial structure located in between. The towers will be approximately 670 feet from the nearest existing single-family residence on Shadow Lane, and 885 feet from the nearest existing single-family residence on Deauville Drive to the west.

Regarding the issue of adequate buffering, the development is largely separated from the existing single-family neighborhood to the west by an existing apartment complex and several office buildings on Shadow Lane. The landscape plan shows 20-foot deep landscape buffers along the west property lines, and a 40-foot deep landscape buffer along the north property line where a three-story parking structure will be facing the R-PD11 development to the north. The applicant has provided a shadow study, showing the impacts to adjacent properties.

Under the existing C-1 (Limited Commercial) zoning on the site, there is no height limit for commercial structures, other than the residential adjacency requirements. While the towers will impede views to the downtown area, the residential development is less intense than most commercial development that would currently be allowed on the site, and consequently, impacts to the adjoining neighborhoods will be lessened. In terms of adjacency, the subject site is located immediately opposite Interstate 15 from the World Market Center and the Union Park site, which is intended to include a number of high-rise towers. In addition, the site has been identified for inclusion in the Las Vegas Redevelopment Plan area, which is exempt from the application of Residential Adjacency Standards.

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 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.”

As the development provides landscape buffers in excess of Code requirements, and is less intense than what could have been permitted under the existing C-1 (Limited Commercial) zoning, and is intended to be incorporated into the Las Vegas Redevelopment area where residential adjacency requirements are not applied, approval of the Variance from residential adjacency requirements is recommended.

NOTICES MAILED 368 by City Clerk

APPROVALS 2

PROTESTS 58

SITE DATA

SITE AREA = 16.78 ACRES

BLDG 100
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
399 SPACES TOTAL
(INCLUDES 8 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
BUILDING FOOTPRINT: 66,223 SF
PARKING DECK FOOTPRINT: 50,097 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 136,108 SF

BLDG 101
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
399 SPACES TOTAL
(INCLUDES 8 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
BUILDING FOOTPRINT: 66,223 SF
PARKING DECK FOOTPRINT: 50,097 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 136,108 SF

BLDG 102
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
454 SPACES TOTAL
(INCLUDES 9 ACCESSIBLE SPACES
AND 2 VAN ACCESSIBLE SPACE)

AREA CALCULATIONS
BUILDING FOOTPRINT: 73,062 SF
PARKING DECK FOOTPRINT: 58,936 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 157,041 SF

AREA TOTALS:
GRASS AREA OF THE
THREE (CONDOMINIUM
BUILDINGS (INCLUDES
BALCONIES)) 1,466,763 SF

TOWNHOMES
12 UNITS (2 STORIES + GARAGE)
2,520 SF EACH: 30,240 SF

CLUBHOUSE: 2 STORIES 8,944 SF

RETAIL: 1 STORY 3,000 SF

PARKING DECKS 429,897 SF

F.A.R. RESIDENTIAL AREA / SITE AREA = 2.05
(INCLUDES AREA OF PARKING DECKS)

TOTAL UNITS = 848

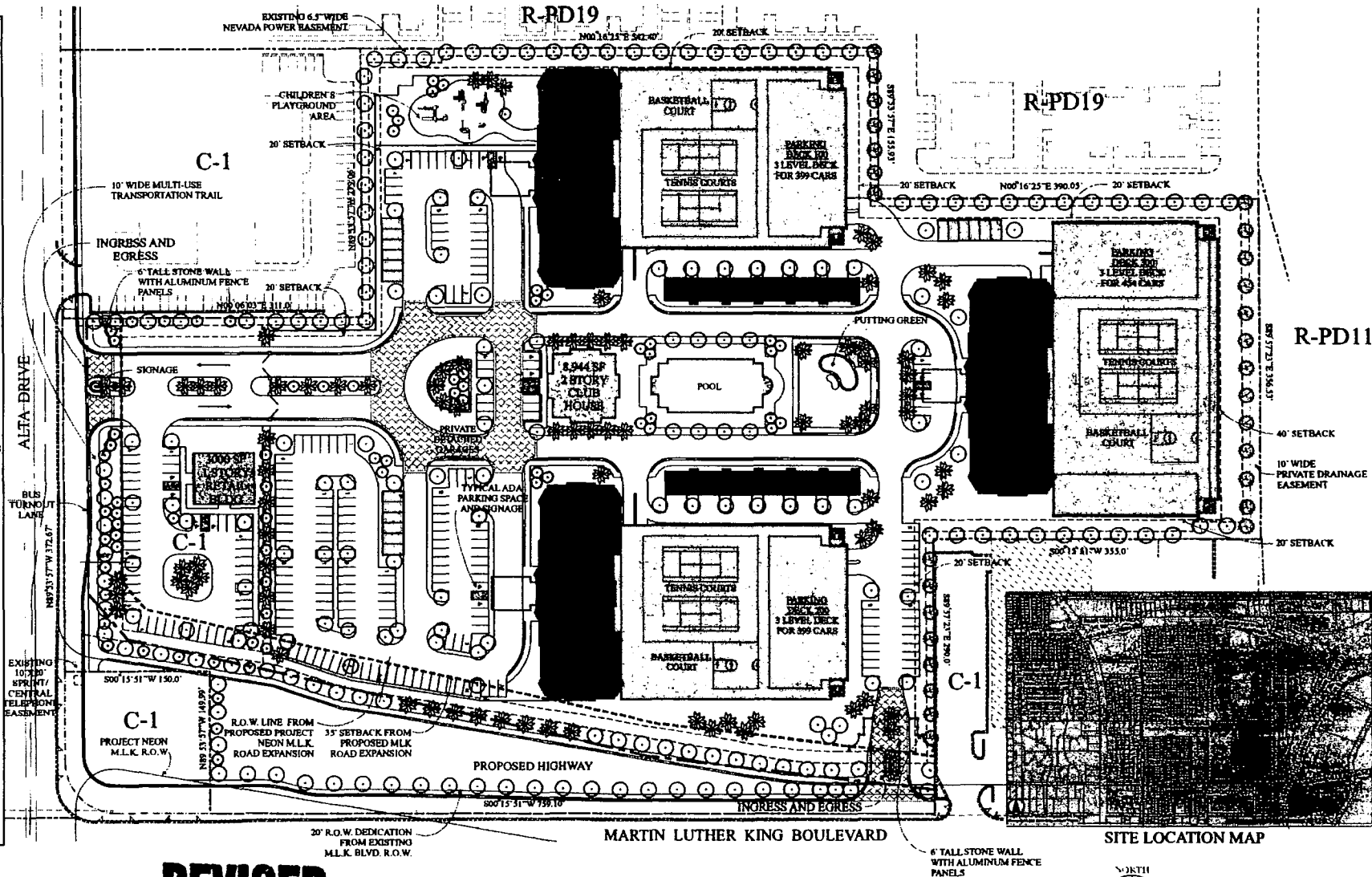
DENSITY = 50.0 UNITS/ACRE

PARKING DECK SPACES = 1,252
RURAL SPACES = 192 (7 ARE HDX P ACCESSIBLE)
DETACHED GARAGE SPACES = 18
ATTACHED GARAGE SPACES = 24

TOTAL RESIDENTIAL PARKING SPACES = 1,484
= 1.77 SPACES/UNIT

RETAIL SPACES = 46 (4 ARE ACCESSIBLE)

NOTE:
STANDARD PARKING SPACE = 9' X 18'
HDX P ACCESSIBLE SPACE = 9' X 18' PLUS 5' ACCESS AISLE
VAN ACCESSIBLE SPACE = 9' X 18' PLUS 8' ACCESS AISLE



REVISED
11-12-04

SITE DEVELOPMENT PLAN **ALTA DRIVE HIGH-RISE** **PROPOSED DEVELOPMENT**

REVISED

LAS VEGAS, NEVADA

RECEIVED

NOV 12 2004

Edwin R. Kimsey Jr., AIA

Architect - Urban Design - Planning

1000 Peachtree Road, N.W.

Suite 1000

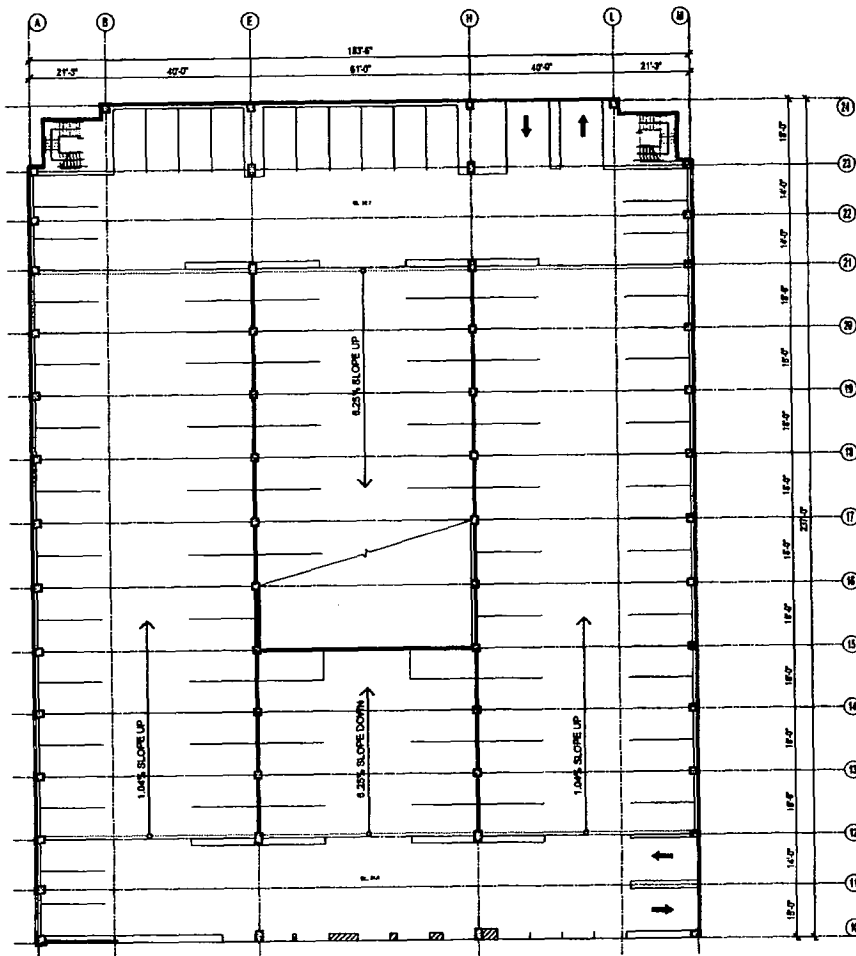
Atlanta, GA 30309

PH: 404.361.7000 FAX: 404.365.7400

kimsey@edrkimsey.com

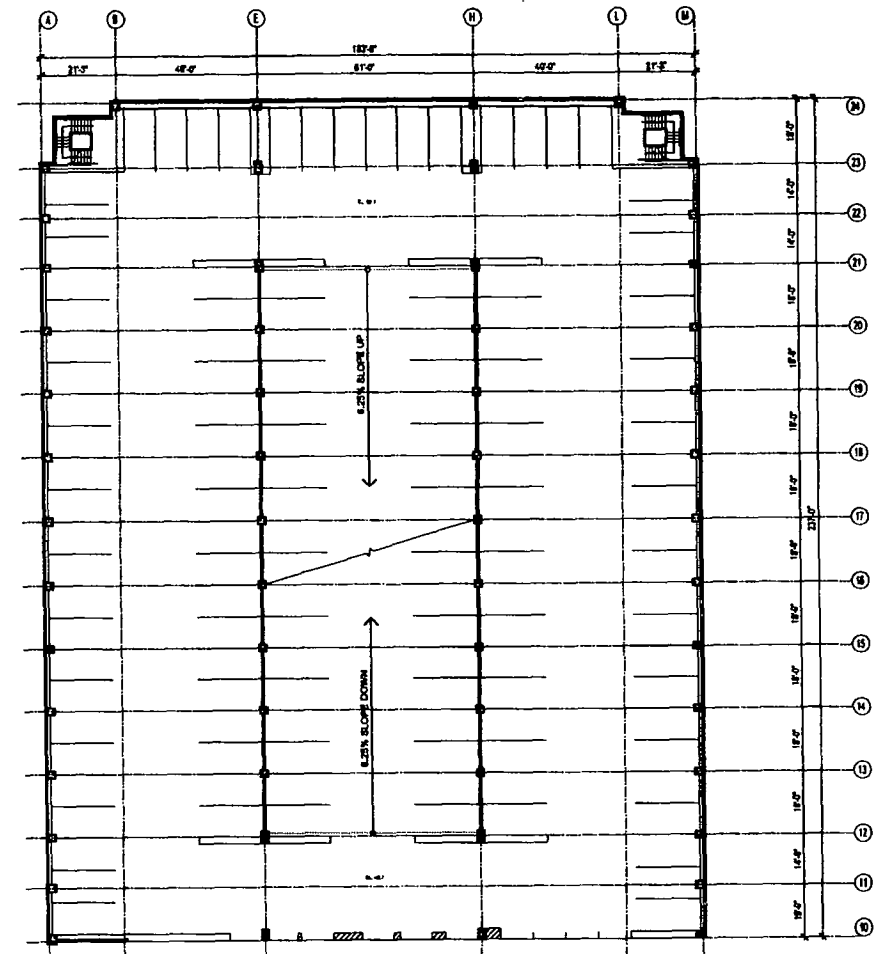
NOT RELEASED FOR CONSTRUCTION

AMBLING
COMPANIES
GPA-5034
ZON-4941
VAR-5035
SDR-5155



PARKING DECK 100 - LEVEL 1

REVISED
11-12-04



PARKING DECK 100 - LEVEL 2

NOVEMBER 10, 2004

AMBLING
COMPANIES
GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

REVISED

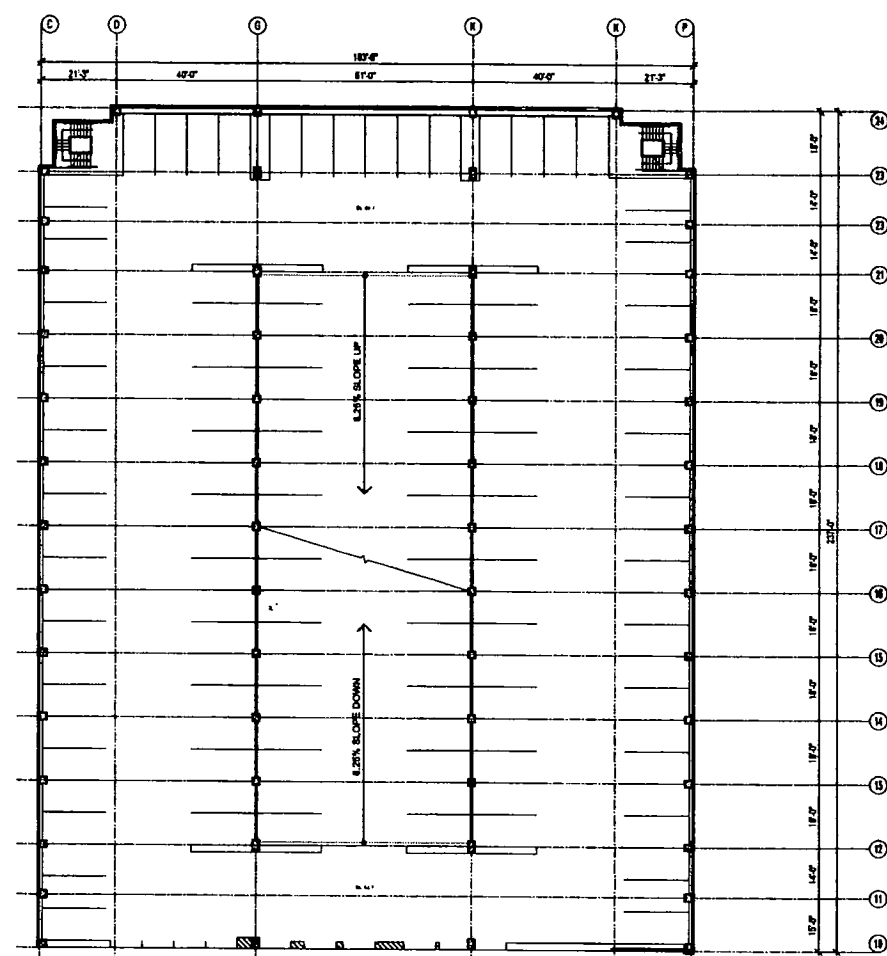
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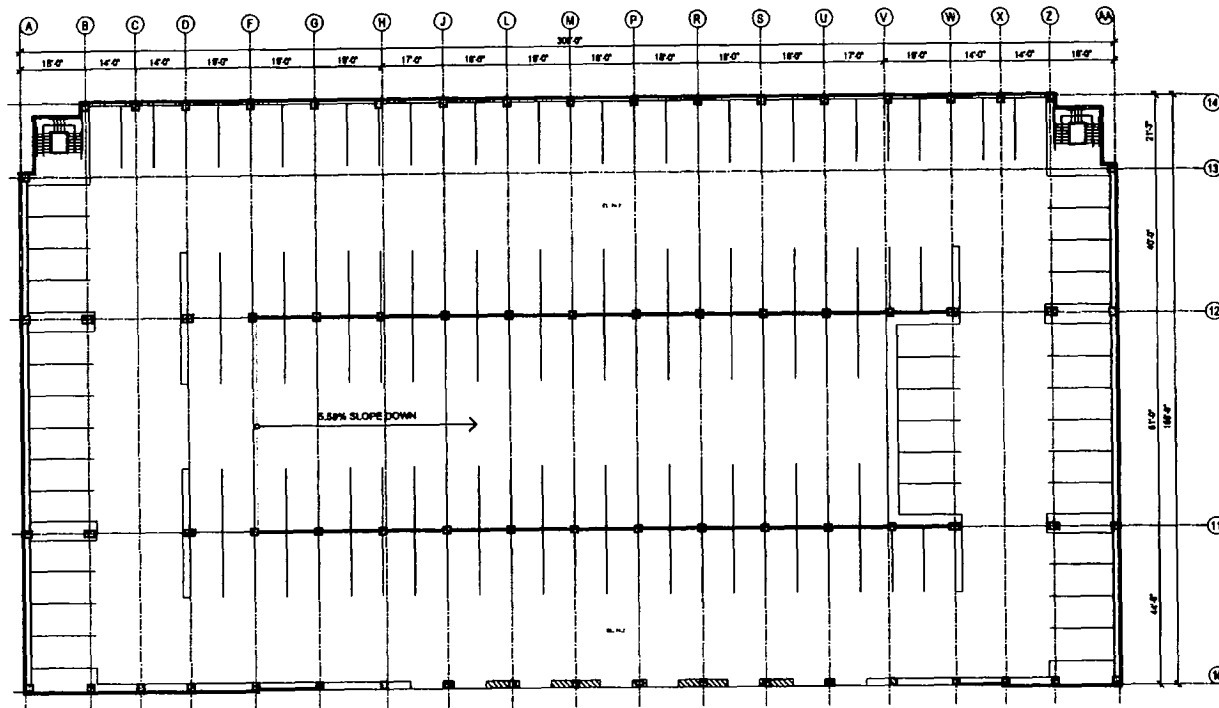
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FACSIMILE 404/525-7900



PARKING DECK 300 - LEVEL 3

REVISED
11-17-04



GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

REVISED

NOVEMBER 10, 2004

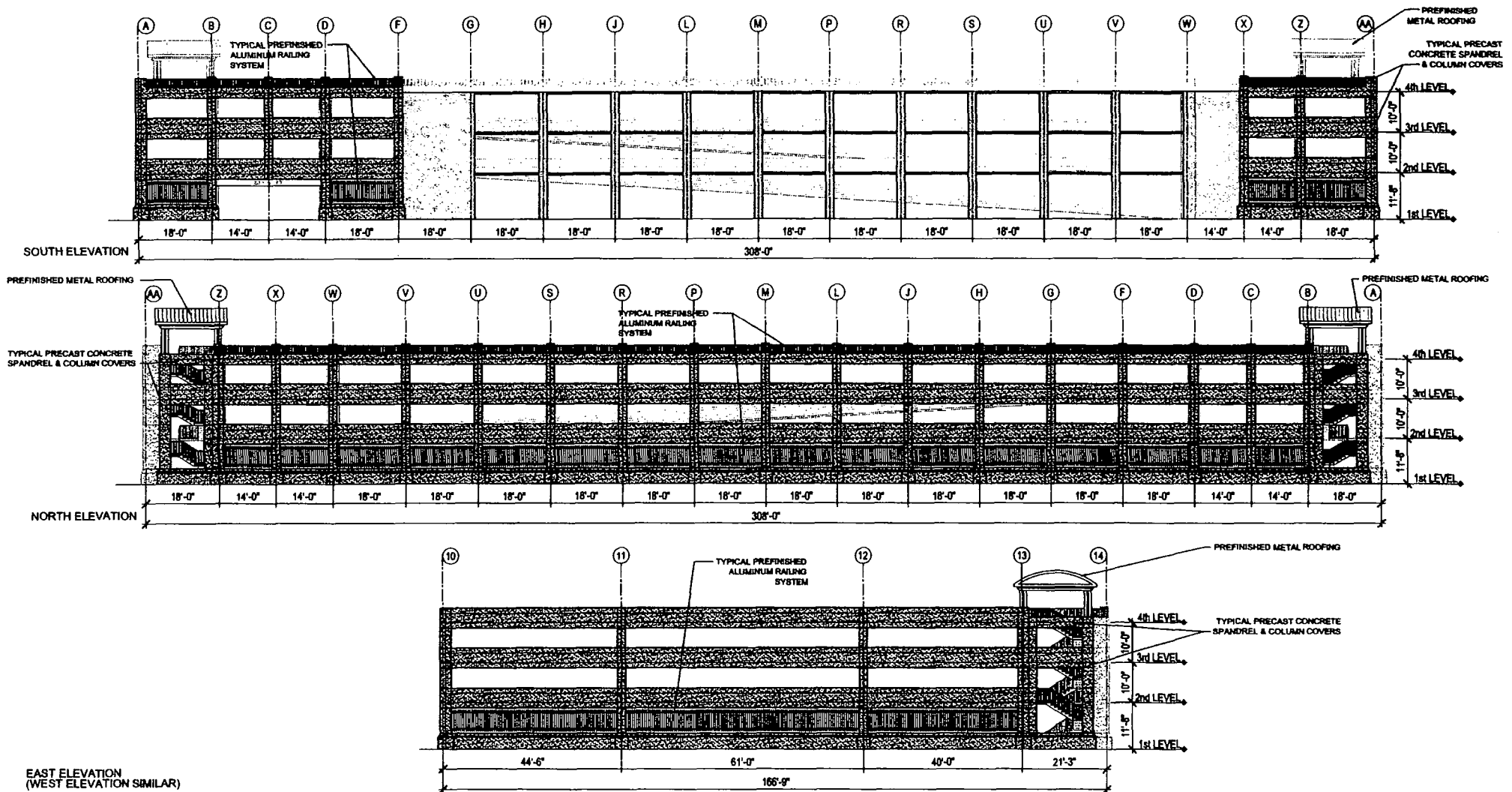
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NOT RELEASED FOR CONSTRUCTION



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11-12-04

PARKING DECK 300 - ELEVATIONS

NOVEMBER 10, 2004



GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE PROPOSED DEVELOPMENT

LAS VEGAS, NEVADA

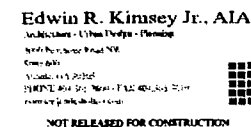
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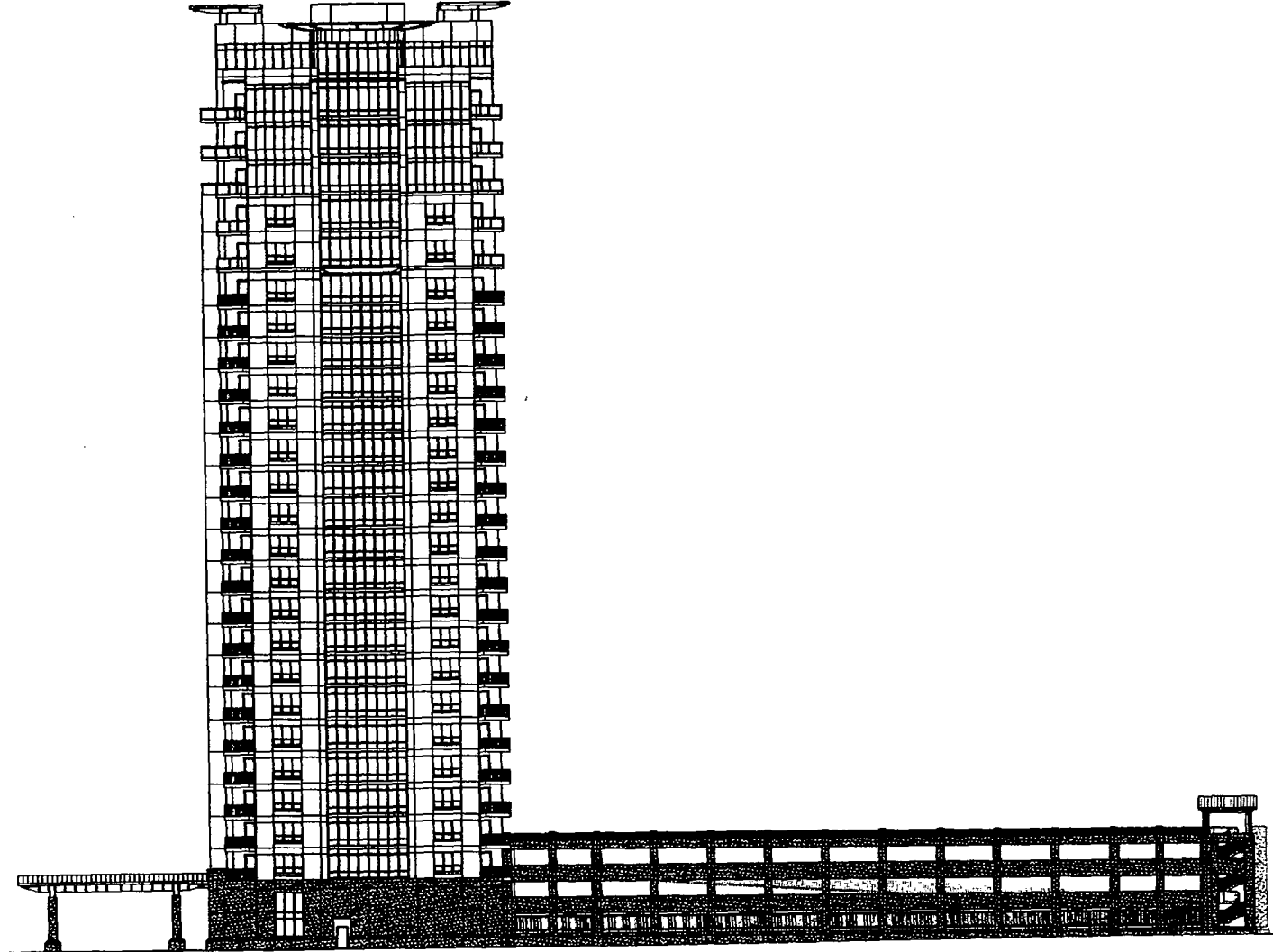
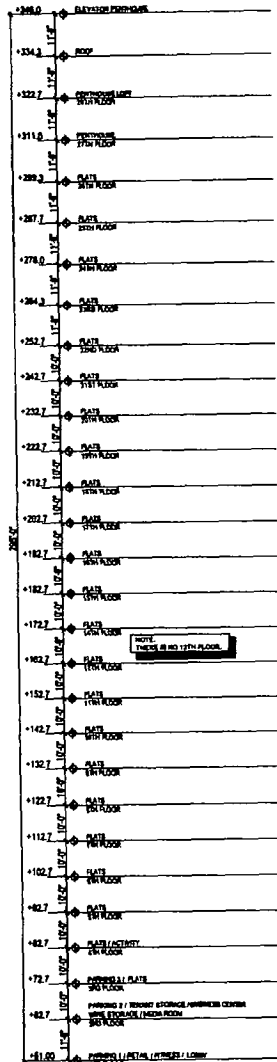
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NOT RELEASED FOR CONSTRUCTION





EAST ELEVATION BUILDING 100

NOVEMBER 10, 2004



REVISED
11-2-04

GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE PROPOSED DEVELOPMENT LAS VEGAS, NEVADA

REVISED

RECEIVED

NOV 12 2004

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NOT RELEASED FOR CONSTRUCTION



AMBLING
COMPANIES

REVISED
11-2-04

GPA-5034
ZON-4941
VAR-5035
SDR-5155

REVISED

LAS VEGAS, NEVADA

PROPOSED DEVELOPMENT

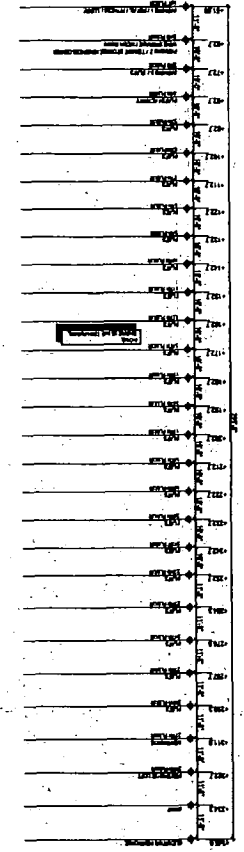
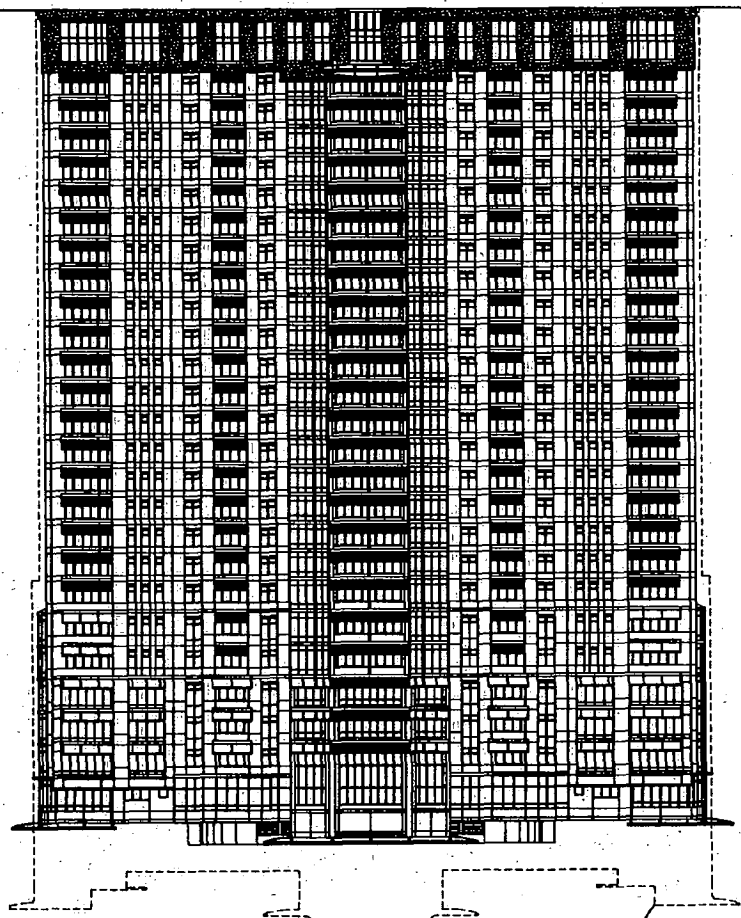
ALTA DRIVE HIGH-RISE

RECEIVED

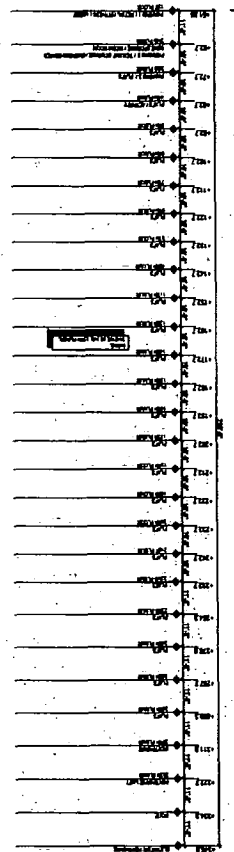
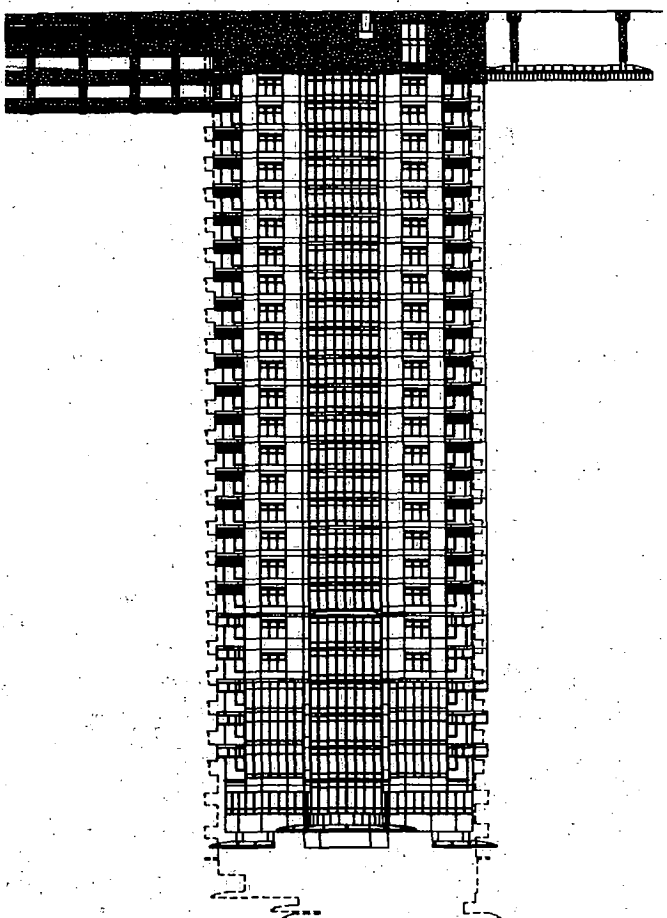
NOV 1 2 2004

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Architect
1000 E. Flamingo Ave., Suite 100
Las Vegas, NV 89119
NOT RELEASED FOR CONSTRUCTION

SOUTH ELEVATION
BUILDING 100



EAST ELEVATION
BUILDING 100



NOVEMBER 10, 2004



VAR-5035 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



VAR-5035 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:
VARIANCE

VAR-5479 - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Variance TO ALLOW 153,879 SQUARE FEET OF OPEN SPACE WHERE 606,678 SQUARE FEET IS REQUIRED FOR AN 854-UNIT MULTIFAMILY DEVELOPMENT on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development - 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

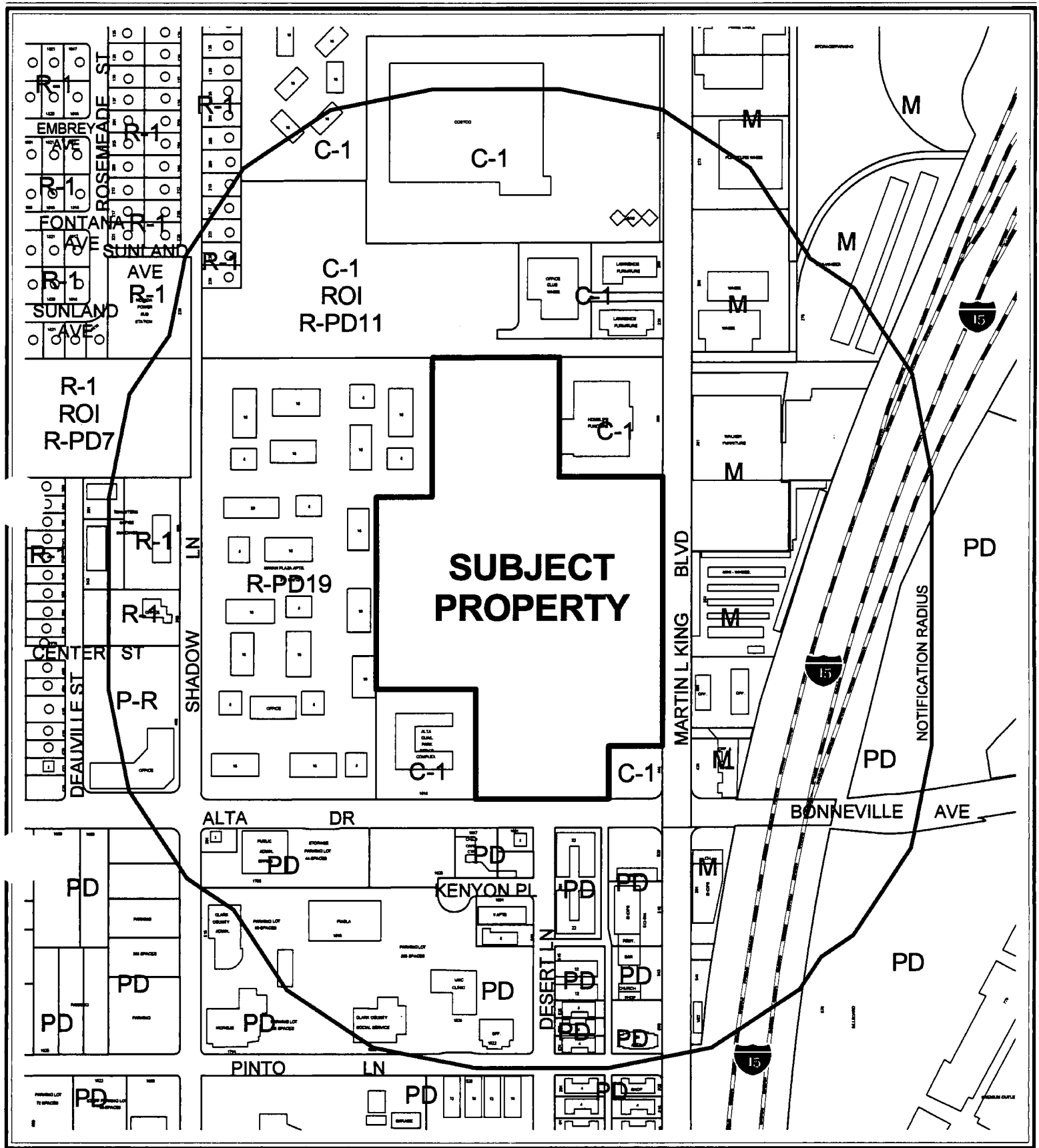
WEEKLY - ABEYANCE to 12/15/2004 not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 109 [GPA-5034] for all related discussion.

(3:25 - 3:53)

5-530



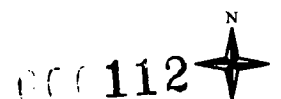
CASE: VAR-5479

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)





R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)

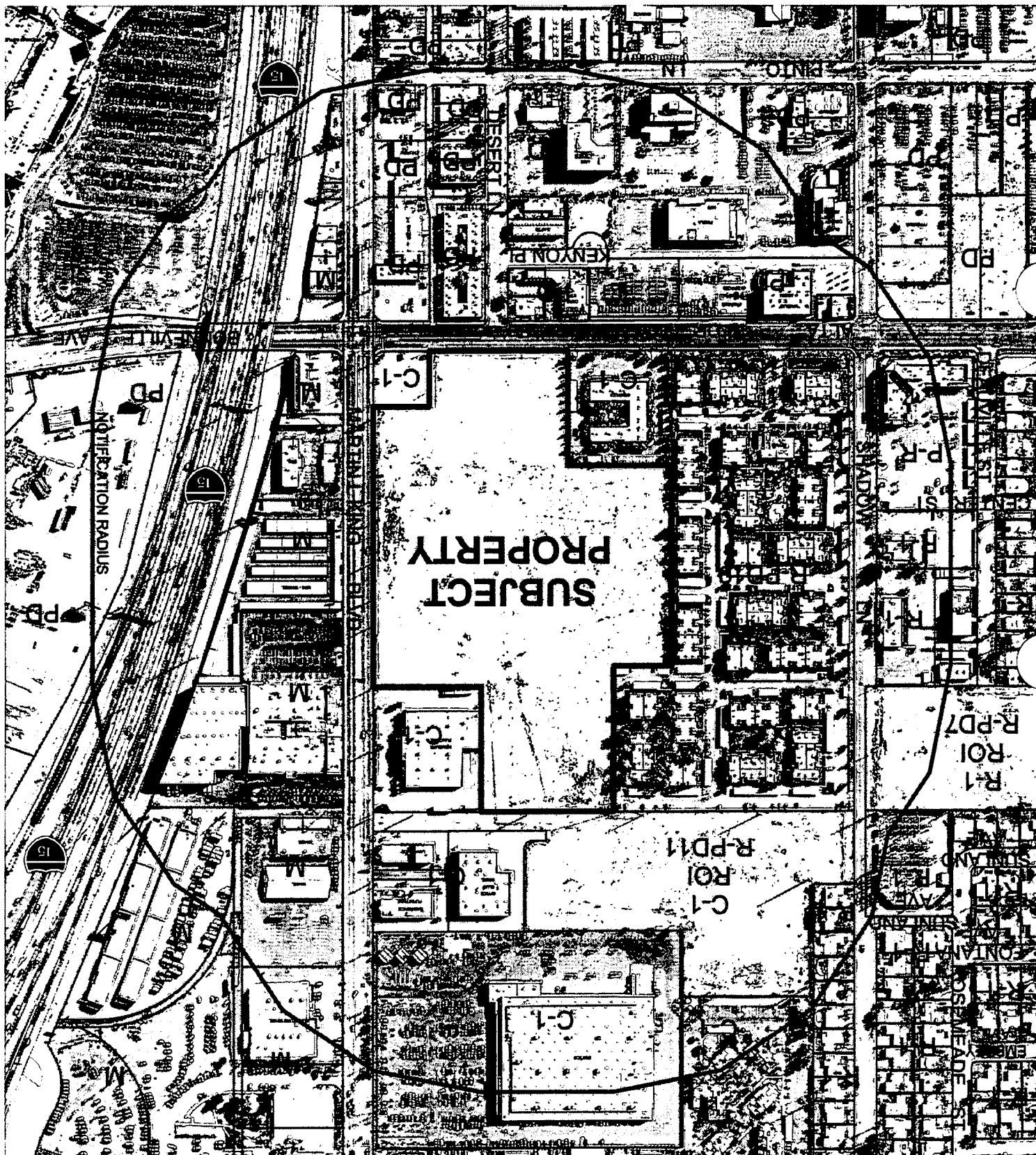
PROPOSED ZONING OF SUBJECT PROPERTY:

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

RADIUS: 750 FT

CASE: VAR-5479

0 300 600 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: VAR-5479 - APPLICANT: AMBLING MULTI-FAMILY
DEVELOPMENT - OWNER: ALTA MLK, LLC**

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for General Plan Amendment (GPA-5034), Rezoning (ZON-4941), Variance (VAR-5035), and Site Development Plan Review (SDR-5155).
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 approval of a Variance to allow 153,879 square feet of open space where 606,678 square feet is required for an 807-unit multi-family development on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard.

B) Applicant's Justification

The applicant has stated that the development will help to revitalize the Downtown area and stabilize the neighborhoods in the surrounding area and diversity the economic base in the vicinity.

BACKGROUND INFORMATION

A) Previous Actions

- 08/17/60 A request to Rezone a portion of the subject property from R-1 (Single-Family Residential) to R-4 (High Density Residential) was approved by City Council. The Planning Commission recommended approval of the request.
- 05/22/03 A request for approval of a Tentative Map (TMP-1990) for a one-lot commercial subdivision (Alta Business Park) was Withdrawn without Prejudice by the applicant at the Planning Commission meeting.
- 11/04/04 The Planning Commission recommended approval of a General Plan Amendment (GPA-5034), Rezoning (ZON-4941), Variance (VAR-5035), and Site Development Plan Review (SDR-5155) in order to permit the development of a 807-unit multi-family development with 3,000 square feet of commercial space on the subject site. Staff recommended approval of the requests.
- 11/18/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #52/ff).

B) Pre-Application Meeting

- 07/27/04 At the pre-application conference, issues were relative to the amount of open space provided and other recreational amenities available for the residents.

C) Neighborhood Meetings

- 09/14/04 At the neighborhood meeting, issues were discussed relative to a traffic study, whether or not variances had been granted for the commercial project to the west, and whether Residential Adjacency Standards had been applied to the residential project to the north.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Net Acres: 16.78

B) *Existing Land Use*

Subject Property: Unimproved Land
North: Unimproved Land
Furniture Warehouse Stores
South: Shops
Medical Offices
Clinic
East: Mini-Warehouses
Offices
Furniture Warehouse Store
West: Apartments

C) *Planned Land Use*

Subject Property: SC (Service Commercial)
[PROPOSED: H (High Density Residential)]
North: M (Medium Density Residential)
SC (Service Commercial)
South: UMC (Las Vegas Medical District)
East: DTR (Downtown Redevelopment)
West: M (Medium Density Residential)

D) *Existing Zoning*

Subject Property: C-1 (Limited Commercial)
[PROPOSED: R-PD (Planned Development)]
North: C-1 (Limited Commercial) under Resolution of Intent to R-PD11
(Residential Planned Development - 11 Units Per Acre)
C-2 (General Commercial)
South: PD (Planned Development)
East: M (Industrial)
West: R-PD19 (Residential Planned Development - 19 Units Per Acre)

E) *General Plan Compliance*

The Southeast Sector Map of the General Plan designates the parcel as SC (Service Commercial). The SC (Service Commercial) designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed retail use is in conformance with the General Plan designation; the applicant has submitted a General Plan Amendment (GPA-5034) in order to designate the bulk of the property for H (High Density Residential) uses.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District (175 feet)	X	
Trails	X	

Rural Preservation Neighborhood		X
County/North Las Vegas/HOA Notification		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 175 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

Trails

The Transportation Trails Element of the General Plan designates the north side of Alta Drive for the development of a Multi-Use Transportation Trail. The applicant will be required to provide a ten-foot wide trail along the front of the property with two five-foot wide landscape buffers on either side of the trail.

A) Zoning Code Compliance

A1) Open Space 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
16.78 acres	50 DUA	1.65	83 %	606,678 SF	23%	153,879 SF

This proposal requires a variance from the open space requirement and is the subject of this application. The subject deviation is 452,799 square feet, or 74.6%.

B) General Analysis and Discussion

In analyzing the associated Rezoning (ZON-4941) and Site Development Plan Review (SDR-5155) applications, it was discovered that the proposed development would be required to provide a minimum of 83% open space based on the requirements of the R-PD (Residential Planned Development) zoning. This application was required as a condition of approval of the development.

In reviewing the proposed site plan for the development, both active and passive open space will be provided. The plan includes a central amenity area between the three residential towers, which will include a clubhouse, swimming pool and sun deck, and a putting green. In addition, a children's playground area will be provided adjacent to the west tower. The perimeter buffers for the project vary from 20 feet to 40 feet, which far exceed the minimum six-foot buffer required by the Code. In addition to these open space amenities provided at grade, the development plan also includes recreational amenities such as tennis courts and basketball courts located on the top floor of the parking structures. The proposed open space and recreational amenities will be adequate to serve the residents of the project.

The R-PD (Residential Planned Development) zoning is typically applied to single-family detached development, and the open space formula was instituted based on that development type. The open space formula, when applied to high-density multifamily development, requires more open space than is possible to provide. Consequently, a Variance will be required in any case that this zoning is applied to high-density development.

FINDINGS

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

1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.18.070L states:

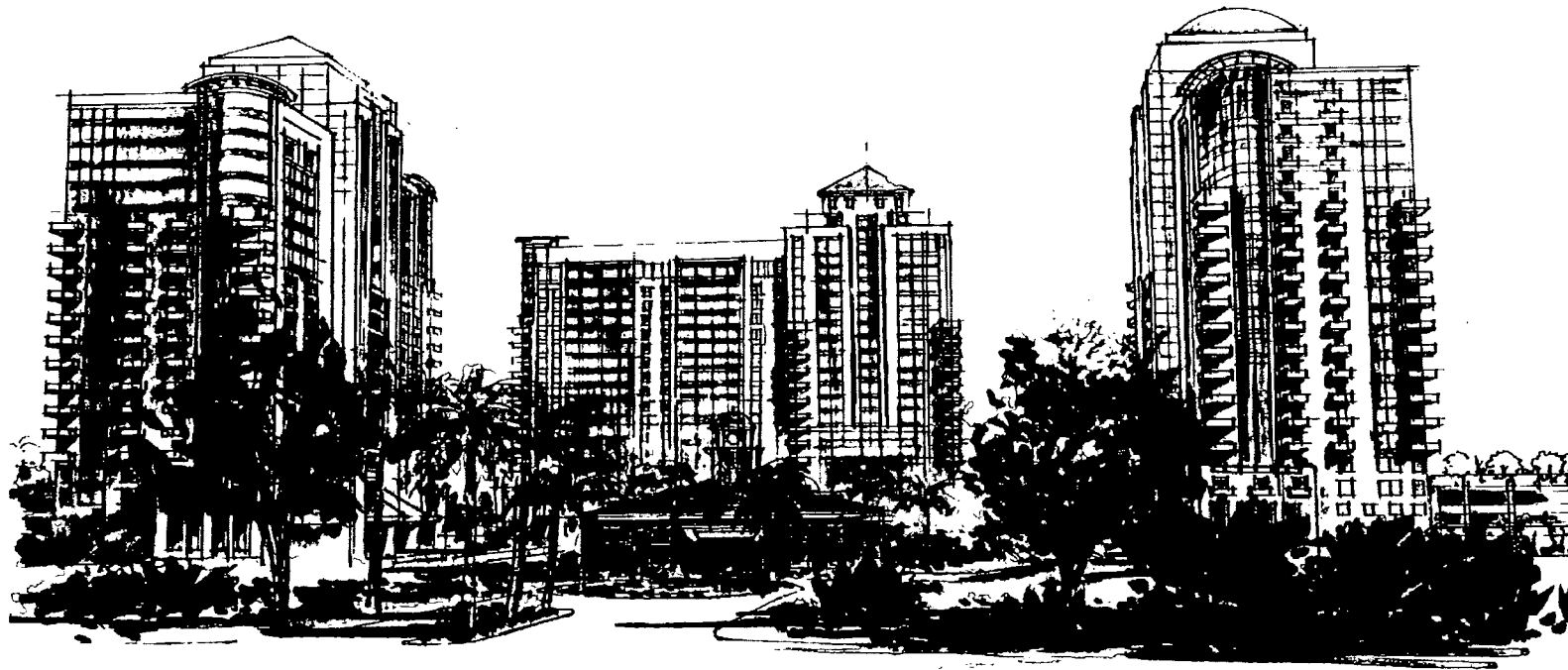
“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

The application of the standard open space formula to the proposed development type results in a requirement that is excessive. The amount of open space to be provided is adequate for the residents of the development and will comply with the objectives of the requirements; therefore, approval of the request is recommended.

NOTICES MAILED 54 by City Clerk

APPROVALS 0

PROTESTS 0



View From Alta Drive



ALTA VISTA SITE ANALYSIS PROPOSED DEVELOPMENT LAS VEGAS, NEVADA

Edwin R. Kimsey Jr., AIA
Architect - Urban Design - Planning
1000 Pennsylvania Street NW
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Atlanta, GA 30309
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www.edwinrkimsey.com



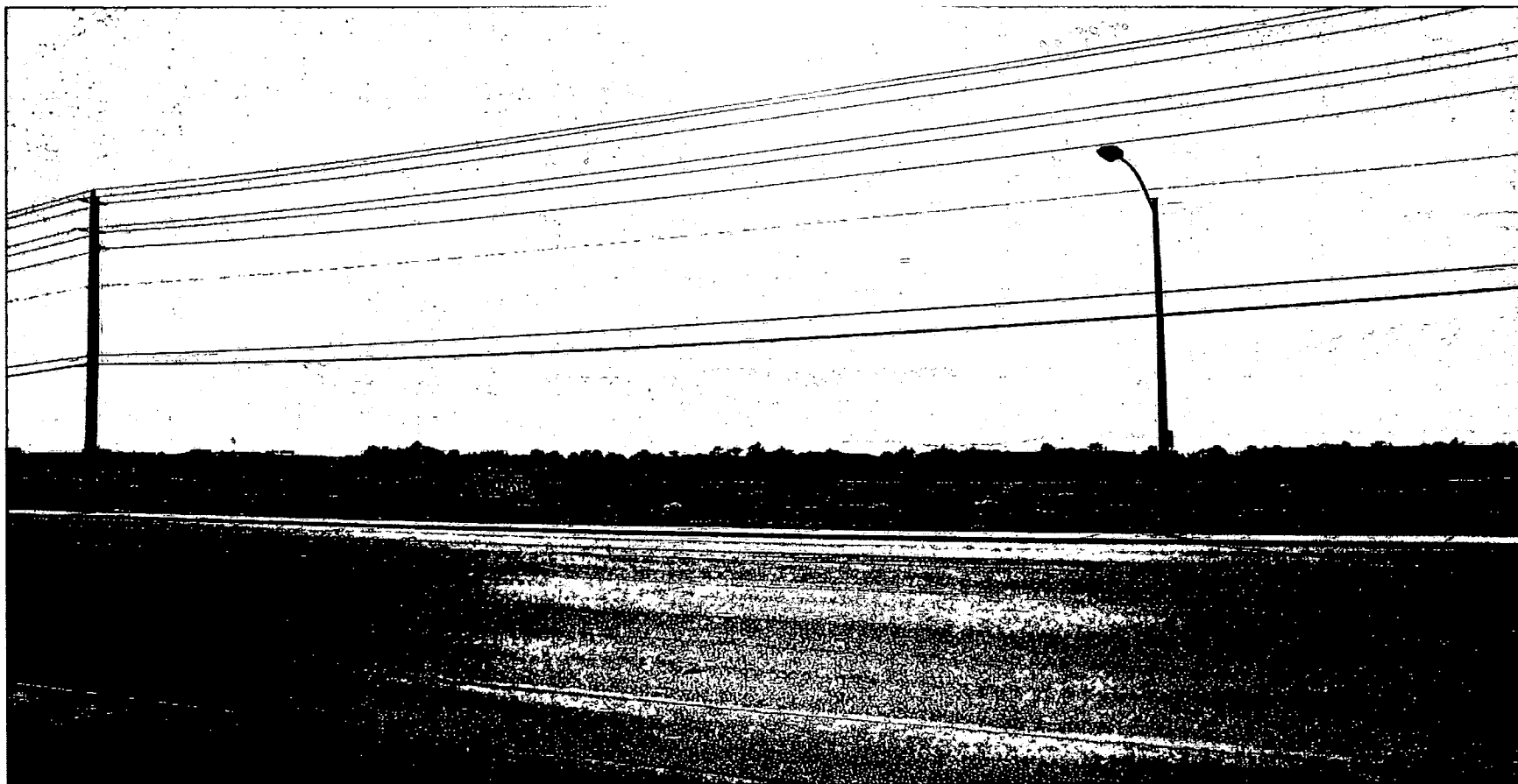
VAR-5479 - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 18, 2004 PLANNING COMMISSION

10/1/04



VAR-5479 - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 18, 2004 PLANNING COMMISSION

10/1/04



VAR-5479 - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 18, 2004 PLANNING COMMISSION

10/1/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5034, ZON-4941 AND VAR-5035

SDR-5155 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: AMBLING MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC - Request for a Site Development Plan FOR A PROPOSED 21 STORY, 840 UNIT CONDOMINIUM DEVELOPMENT IN THREE BUILDINGS on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone [PROPOSED: R-PD50 (Residential Planned Development – 50 Units Per Acre)], Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

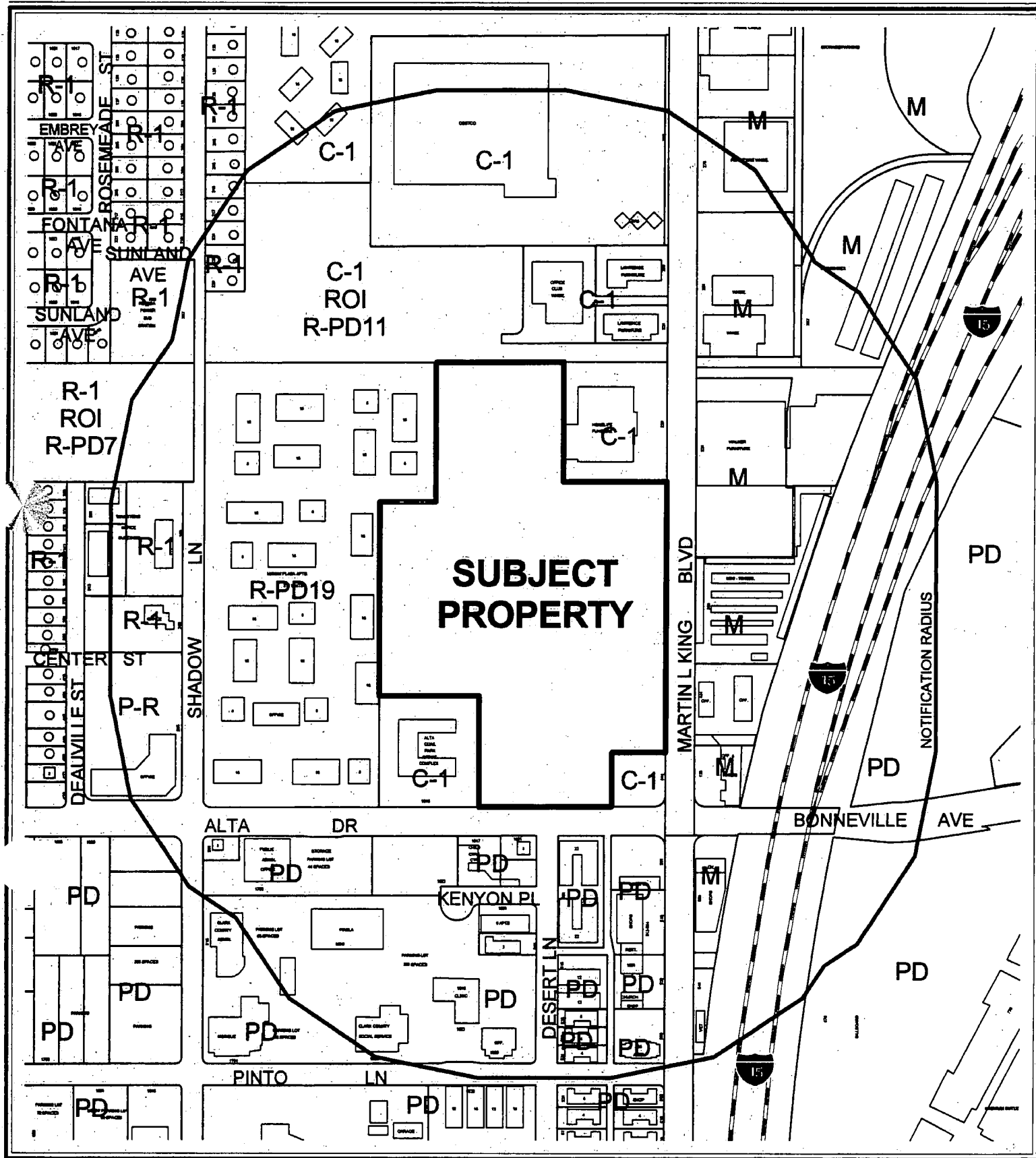
1. Location Map
2. Conditions For This Application
3. Staff Report

MOTION:

WEEKLY - ABEYANCE to 12/15/2004 not to be heard before 4:00 p.m. - UNANIMOUS

MINUTES:

NOTE: See Item 109 [GPA-5034] for all related discussion.
(3:25 - 3:53)
5-530



CASE: SDR-5155

RADIUS: 750 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD50 (RESIDENTIAL PLANNED DEVELOPMENT - 50 UNITS PER ACRE)

113



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5155 – APPLICANT: AMBLING
MULTI-FAMILY DEVELOPMENT – OWNER: ALTA MLK, LLC**

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance with all conditions of approval of General Plan Amendment GPA-5034, Rezoning ZON-4941, and Variance VAR-5035 approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations depicting three 27-story buildings, date stamped November 1, 2004, except as amended by conditions herein.
4. The applicant shall submit a Variance application for approval by City Council, in order to permit a reduction in the Open Space requirement listed in Title 19.06.040(G), prior to the issuance of building permits.
5. The applicant shall submit plans and elevations for the proposed retail structure on the south side of the site adjacent to Alta Drive for administrative review and approval by Planning staff prior to the issuance of a building permit.
6. The elevations of the parking structures shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, with additional architectural features to enhance façade articulation and compatibility with the residential structures.
7. The applicant shall be required to develop a Multi-Use Transportation Trail along the Alta Drive frontage in compliance with the Transportation Trails Element of the General Plan. The trail may be located within the perimeter buffer area, provided that five-foot landscape amenity zones are located on both sides of the trail in accordance with the Transportation Trails Element of the Las Vegas 2020 Master Plan.
8. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Prior to the issuance of building permits, a revised landscape plan must be submitted to and approved by the Department of Planning and Development showing a maximum of 15% of the total landscaped area as turf.

9. Landscaping and a permanent underground sprinkler system for the landscape materials shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Prior to the submittal of a building permit, 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.
11. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets. All trash enclosures shall have walls and a roof in accordance with the requirements of Title 19.08.045.
12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.
13. Any new utility or power service line provided to the parcel shall be placed underground from the property line to the point of on-site connection or on-site service panel location.
14. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.
15. Signage for the development shall be permitted in conformance with the requirements of Title 19.14.
16. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

17. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222A.
19. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
20. Site development to comply with all applicable conditions of approval for ZON-4941 and all other subsequent 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.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a 807-unit condominium development in three 27-story buildings with 3,000 square feet of commercial space on 16.78 acres north of Alta Drive and west of Martin L. King Boulevard. A related General Plan Amendment (GPA-5034), Rezoning (ZON-4941) and Variance (VAR-5035) will be considered concurrently.

B) Applicant's Justification

It is expected that this development will help to revitalize the Downtown area and stabilize the neighborhoods in the surrounding area and diversify the economic base in the vicinity. The proposed site is currently vacant and contributes to what is perceived as urban blight. The appearance of towers on the property will aid in the improvement of investor confidence already being promoted by the current high-rise construction in the Redevelopment District and promote the infusion of additional capital for residential and mixed-use projects in the adjacent areas. The proximity of the proposed condominium towers to the Downtown area will provide a steady client base for the services and shops in the area.

BACKGROUND INFORMATION

A) Previous Actions

- | | |
|----------|--|
| 08/17/60 | A request to Rezone a portion of the subject property from R-1 (Single-Family Residential) to R-4 (High-Density Residential) was approved by City Council. The Planning Commission had recommended approval of the request. |
| 05/22/03 | A request for approval of a Tentative Map (TMP-1990) for a one-lot commercial subdivision (Alta Business Park) was Withdrawn without Prejudice by the applicant at the Planning Commission meeting. |
| 10/21/04 | The Planning Commission held this item in abeyance to the 11/04/04 PC Meeting in an effort to allow for further analysis of the potential traffic impacts of the project, and to provide the results of that analysis to the Commission. |
| 11/04/04 | The Planning Commission recommended approval of a related General Plan Amendment (GPA-5034), Rezoning (ZON-4941) and Variance (VAR-5035). Staff recommends approval of the requests. |
| 11/04/04 | The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #24/ff). |

B) Pre-Application Meeting

07/27/04 At the pre-application conference, issues were discussed relative to the proposed zoning of the project and the mixture of uses on the site, residential adjacency issues related to the height of the proposed towers, and the configuration of the buildings. Public Works noted the expansion of Martin Luther King Boulevard, and that the applicant would need to dedicate additional right-of-way for the expansion of the roadway.

C) Neighborhood Meetings

09/14/04 At the neighborhood meeting, issues were discussed relative to a traffic study, whether or not variances had been granted for the commercial project to the west, and whether Residential Adjacency Standards had been applied to the residential project to the north.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 16.78

B) Existing Land Use

Subject Property: Unimproved Land
North: Unimproved Land
Furniture Warehouse Stores
South: Shops
Medical Offices
Clinic
East: Mini-Warehouses
Offices
Furniture Warehouse Store
West: Apartments

C) Planned Land Use

Subject Property: SC (Service Commercial) [PROPOSED: H (High Density Residential)]
North: M (Medium Density Residential)
SC (Service Commercial)
South: UMC (Las Vegas Medical District)
East: DTR (Downtown Redevelopment)
West: M (Medium Density Residential)

D) Existing Zoning

Subject Property: C-1 (Limited Commercial); [PROPOSED: R-PD (Planned Development)]

North: C-1 (Limited Commercial) under Resolution of Intent to R-PD11
(Residential Planned Development - 11 Units Per Acre)
C-2 (General Commercial)
South: PD (Planned Development)
East: M (Industrial)
West: R-PD19 (Residential Planned Development - 19 Units Per Acre)

E) General Plan Compliance

The Southeast Sector Map of the General Plan designates the parcel as SC (Service Commercial). The SC (Service Commercial) designation allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. The proposed retail use is in conformance with the General Plan designation; the applicant has submitted a General Plan Amendment (GPA-5034) in order to designate the majority of the property for H (High Density Residential) uses.

<i>SPECIAL DISTRICTS/ZONES</i>	Yes	No
Special Area Plan		X
Special Overlay District	X	
Airport Overlay District (175 Feet)	X	
Trails	X	
Rural Preservation Neighborhood		X
Development Impact Notification Assessment	X	
Project of Regional Significance	X	

Airport Overlay District

This site is subject to the North Las Vegas Airport Overlay District. Structures may be built up to 175 feet in height; any structures over this height limit must be reviewed by the Federal Aviation Administration (FAA).

Trails

The Transportation Trails Element of the General Plan designates the north side of Alta Drive for the development of a Multi-Use Transportation Trail. The applicant will be required to provide a ten-foot wide trail along the front of the property with two five-foot wide landscape buffers on either side of the trail.

PROJECT DESCRIPTION

The applicant has made minor modifications to the parameters of the project since it was initially viewed by Planning Commission on October 21, 2004, including a reduction in the number of residential units and a reduction in the height of the tower buildings. The project will now include 795 residential units in three 27-story residential towers, 12 residential townhouse units,

a 7,880 square foot clubhouse for residents, and a separate 3,000 square foot retail building. The retail building and its parking lot will be located at the front of the site facing Alta Drive; the residential portion of the site will be gated. In addition to the driveway on Alta Drive, a separate gated driveway will be provided on Martin Luther King Boulevard for the residents. Each of the three tower buildings will have an attached parking structure with three levels of parking and a recreational amenity area on the top level of the structure. The ground floor of each of the tower buildings will have a fitness center and other service amenities for residents.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the following Development Standards apply to the C-1 (Limited Commercial) portion of the site abutting Alta Drive:

Standards	Required	Provided	Compliance
Min. Lot Size	N/A	1.75 Acres	N/A
Min. Lot Width	100 Feet	180 Feet	Y
Min. Setbacks			
• Front	20 Feet	160 Feet	Y
• Side	10 Feet	10 Feet	Y
• Corner	15 Feet	115 Feet	Y
• Rear	20 Feet	135 Feet	Y
Max. Lot Coverage	50 %	4%	Y
Max. Building Height	N/A	Not indicated	N/A

The proposed commercial building will comply with all development standards of the C-1 (Limited Commercial) zoning district.

Pursuant to Title 19.06.040, the Development Standards within an R-PD District are established at the time of Site Development Plan Review. The development standards that are imposed on the residential portion of this site through the proposed Site Development Plan are as follows:

Standards	Provided
Min. Lot Size	16.78 acres
Min. Setbacks	
• Front (Alta)	60 Feet
• Side	20 Feet
• Corner (MLK)	35 Feet
• Rear	20 Feet
Max. Lot Coverage	38%
Max. Building Height	27 Stories/295 Feet
Trash Enclosure	Interior
Mech. Equipment	Not indicated

The proposed residential development standards will generally be adequate for a project of this magnitude, based on the size of the parcel.

A2) Residential Adjacency Standards

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

- a) Proximity slope. The north tower is located approximately 205 feet from the recently-approved R-PD11 (Residential Planned Development – 11 Units Per Acre) development to the north, and is approximately 670 from the nearest existing single-family residence on Shadow Lane. The west tower is located approximately 660 feet from the recently-approved R-PD7 (Residential Planned Development – 7 Units Per Acre) development to the west, and is approximately 885 feet from the nearest existing single-family residence on Deauville Drive. Based on a height of 295 feet, the towers would need to be 885 feet from any single-family residence. The applicant has filed a Variance (VAR-5035) application to address this issue.
- b) Building setback. The proposed structures will comply with the minimum required 15-foot setback.

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
Retail	3,000 SF	1/175 SF	18	1	45	7
Multifamily						
• 1 Bedroom	252 units	1.25/unit	315	N/A		
• 2 Bedroom	551 units	1.75/unit	965			
• 3 Bedroom	4 units	2/unit	8			
• Guest			135			
Total			1,441	1	1,474	7

The commercial and residential portions of the site comply with the parking requirements listed in Title 19.10.

A4) Landscape and Open Space Standards

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

Standards	Required		Provided
	Ratio	Trees	
Parking Area			
• Retail Portion	1 Tree/6 Spaces	8 Trees	12 Trees
• Residential Portion		27 Trees	35 Trees
Buffer:			
• Min. Trees (adj. to res.)	1 Tree/30 Linear Feet	133 Trees	161 Trees
• Min. Zone Width: Front	15 Feet		25-60 Feet
• Min. Zone Width: Side	8 Feet		20-40 Feet
Wall Height	6 Feet		6 Feet

Based on the submitted landscape plan, the proposed development will comply with minimum landscape and buffer requirements.

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
16.78 acres	50 du/ac	1.65	83 %	606,678 SF	23%	109,641 SF

The proposed development will not meet the open space requirement as listed in Title 19.06. The applicant will be required to file a Variance application to address this issue prior to construction. The provided open space is adequate for the proposed development.

A5) Sign Standards

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

Monument Signs: Alta Drive

Standards	Allowed	Provided
Maximum Number	1/200' Street frontage 2 total	1 total
Maximum Area	75 SF	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	10 Feet
Illumination	Internal, External	Not indicated

The proposed monument sign will meet the minimum setback requirement; no other information has been provided. No information has been provided about potential wall signage.

B) General Analysis and Discussion

• Zoning

The proposed commercial use is consistent with the existing C-1 (Limited Commercial) zoning; the applicant has filed a General Plan Amendment (GPA-5034) and Rezoning (ZON-4941) application for the northern portion of the parcel to permit the multifamily residential uses. The

applicant has noted that accessory service commercial uses may be provided in the base of each residential tower; these uses will be restricted to residents only. The proposed retail building will comply with all development standards for the C-1 (Limited Commercial) district. The residential portion of the site generally complies with the R-PD requirements, with the exception of the open space requirement; the open space formula is geared towards single-family detached development, and does not result in a reasonable requirement for the provision of open space for multifamily developments.

- Site Plan

The site plan is configured with the commercial parcel located at the front of the property on Alta Drive, with the residential portion of the development located behind a perimeter wall at the rear of the site. The applicant has made provisions for the widening of Martin Luther King Boulevard, and has shown on the site plan the portion of the property that will be dedicated for additional right-of-way.

- Waivers

No Waivers have been requested in conjunction with this application.

- Landscape Plan

Landscape buffers will be provided around the perimeter of the property, and have a minimum depth of 20 feet, which exceeds Code requirements. Landscaping is provided in the surface parking lot areas in accordance with the requirements of Title 19. The proposed plant materials are generally appropriate for the site, with the exception of the Norway Maple tree that is to be utilized in the buffer areas, which is not identified by the Las Vegas Valley Water District as being suitable to the area.

- Elevations

The elevations of the residential towers will feature pre-cast concrete at the base of the buildings, with a synthetic stucco on the remainder of the wall surfaces. Glazing will include a combination of tinted glass and spandrel panels. Balcony railings will be perforated metal, and decorative metal screen structures will be used at the top of the building. The composition of the elevations clearly delineate the base, middle and top of the building, and the roofline features raised elements that mark the center and ends of the building. Variation of the wall plane is provided through changes of materials and projecting balconies.

The parking structures will utilize pre-cast concrete panels, with perforated metal bars over the ground-floor openings. While the proposed color and materials are consistent with the tower buildings, the parking structures lack the additional level of detail necessary to be consistent with the architectural theme of the principal buildings as dictated by the City's development standards.

No information is provided relative to the design and appearance of the proposed retail structure at the south end of the site adjacent to Alta Drive; it is recommended that the elevations of the building be reviewed administratively by staff for consistency with Title 19. A condition of approval stipulates this requirement.

- Floor Plan

The ground floor of each of the residential towers features a building lobby, fitness center, and accessory services for residents. The parking structure for each tower is directly attached, and has direct access to the elevator core. Egress is provided by means of stair towers on both ends of the building. The residential floors will have between eight and 12 units per floor; the penthouse level will have five units.

FINDINGS

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

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

The proposed residential towers are compatible in size and scale to the World Market Center and other development to the east, but are significantly taller than the multifamily and single-family development to the west.

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 commercial portion of the development is consistent with the General Plan, Title 19, and other requirements. The residential portion of the development is inconsistent with the current General Plan designation; the applicant has filed a General Plan Amendment (GPA-5034) to change the designation to H (High Density Residential), which is consistent with the proposed development. The residential portion of the development is generally consistent with Title 19, with the exception of residential adjacency issues, which the applicant has addressed through filing Variance petition VAR-5035.

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

The project will have driveways on Alta Drive and on Martin Luther King Boulevard, and each driveway will have adequate stacking room so as to not impact the flow of traffic on either street. The applicant has reserved a portion of the site for the proposed improvements to Martin Luther King Boulevard, which will assist with the flow of traffic in the area.

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

The proposed building materials for the residential structures are appropriate for the development. No information has been provided about the construction or materials of the retail structure; a condition is in place to require review of the structure prior to its construction. The landscape materials are generally appropriate for 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 design of the elevations of the residential towers are generally appropriate for the use. The elevations of the parking structures need additional detailing in order to be consistent with the principal structures. No information is provided relative to the retail structure.

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

The development will be subject to inspections, and appropriate measures will be taken to protect public health, safety and general welfare.

NOTICES MAILED 368 by Planning Department

APPROVALS 2

PROTESTS 47



Case Number: **SDR-5155** APN: 139-33-202-005

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SITE DATA

SITE AREA - 16.78 ACRES

BLOCK 199
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
399 SPACES TOTAL
(INCLUDES 8 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)
AREA CALCULATIONS
BUILDING FOOTPRINT: 66,223 SF
PARKING DECK FOOTPRINT: 50,097 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 136,104 SF

BLOCK 200
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
399 SPACES TOTAL
(INCLUDES 8 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)
AREA CALCULATIONS
BUILDING FOOTPRINT: 66,223 SF
PARKING DECK FOOTPRINT: 50,097 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 136,104 SF

BLOCK 201
276 UNITS (27 STORIES)
3 LEVEL PARKING DECK
399 SPACES TOTAL
(INCLUDES 8 ACCESSIBLE SPACES
AND 1 VAN ACCESSIBLE SPACE)
AREA CALCULATIONS
BUILDING FOOTPRINT: 66,223 SF
PARKING DECK FOOTPRINT: 50,097 SF

TOTAL BUILDING: 488,921 SF (INCLUDES BALCONIES)
TOTAL PARKING DECK: 136,104 SF

AREA TOTALS:
GROSS AREA OF THE
THREE CONDOMINIUM
BUILDINGS (INCLUDES
BALCONIES) 1,466,763 SF

TOWNHOMES:
12 UNITS (2 STORIES + GARAGE)
2,520 SF EACH: 30,240 SF

CLUBHOUSE: 2 STORIES 8,944 SF
RETAIL: 1 STORY 3,000 SF

PARKING DECKS: 429,897 SF

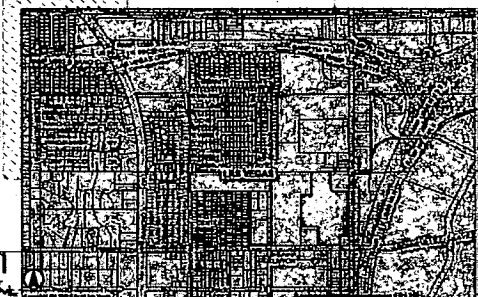
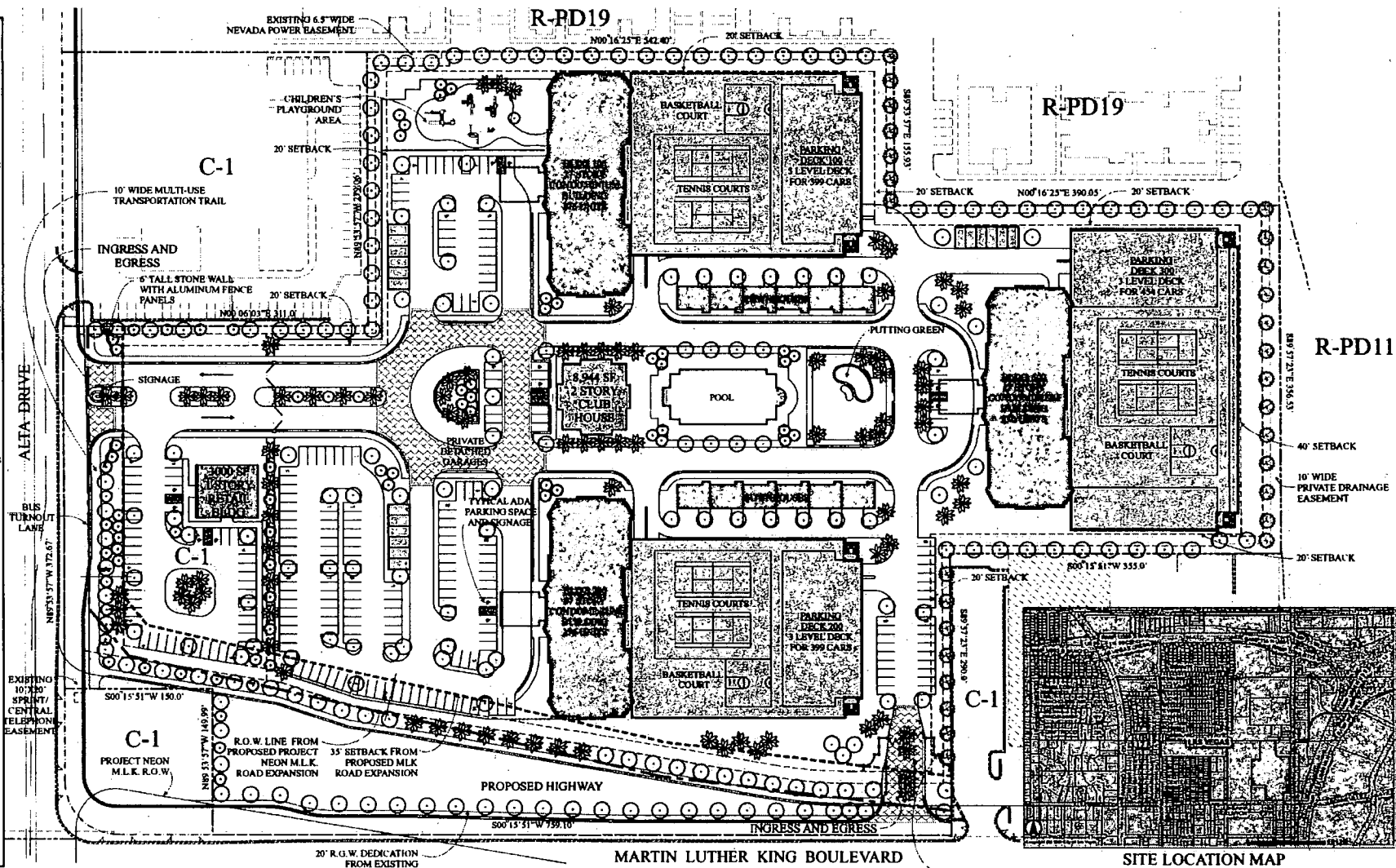
F.A.R. RESIDENTIAL AREA / SITE AREA = 2.85
(EXCLUDES AREA OF PARKING DECKS)

TOTAL UNITS - 848
DENSITY - 50.8 UNITS/ACRE
PARKING DECK SPACES - 1,352
SURFACE SPACES - 192 (7 ARE HD.P.A ACCESSIBLE)
DETACHED GARAGE SPACES - 18
ATTACHED GARAGE SPACES - 24

TOTAL RESIDENTIAL PARKING SPACES - 1,486
- 1.77 SPACES/UNIT

RETAIL SPACES - 46 (4 ARE ACCESSIBLE)

NOTE:
STANDARD PARKING SPACE - 9'X11'
HD.P.A ACCESSIBLE SPACE - 9'X11' PLUS 5' ACCESS AISLE
VAN ACCESSIBLE SPACE - 9'X11' PLUS 8' ACCESS AISLE



SITE LOCATION MAP

REVISED
11-20-04

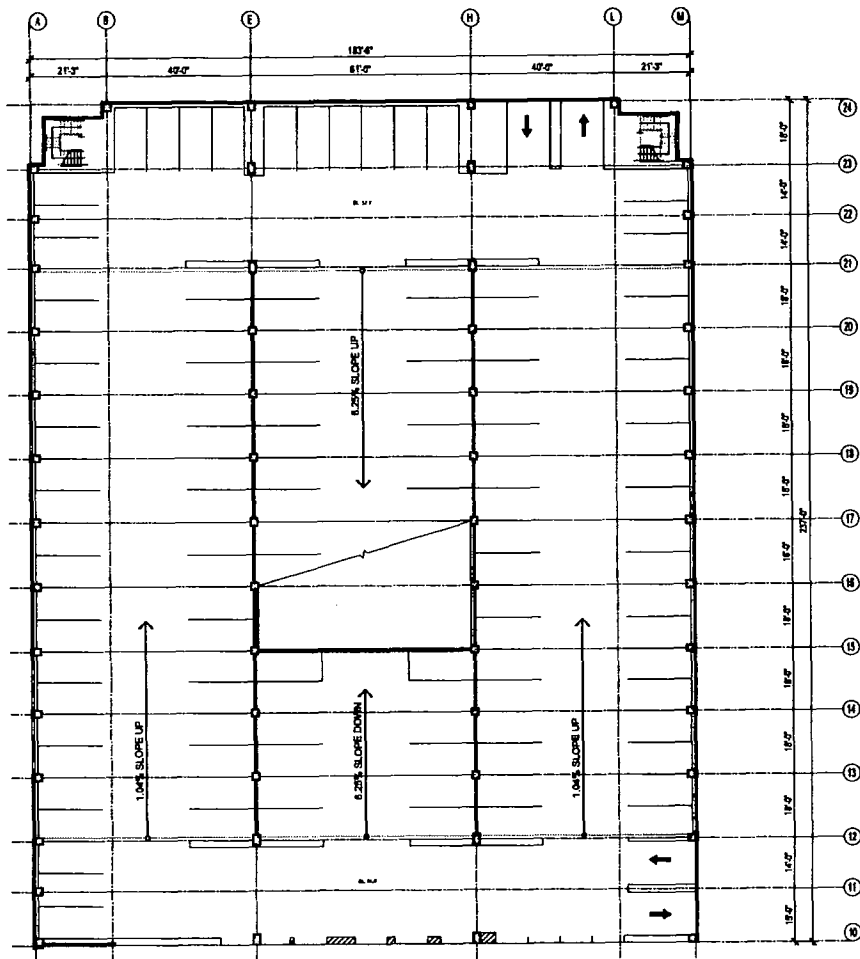
SITE DEVELOPMENT PLAN **ALTA DRIVE HIGH-RISE** **PROPOSED DEVELOPMENT** LAS VEGAS, NEVADA

RECEIVED
NOV 12 2004

Edwin R. Kimsey Jr., AIA
Architect - Urban Design - Planning
www.franklinandson.com
Suite 600
Atlanta, GA 30308
PH: 404.525.7600 FAX: 404.525.7610
kimsey@franklinandson.com
NOT RELEASED FOR CONSTRUCTION

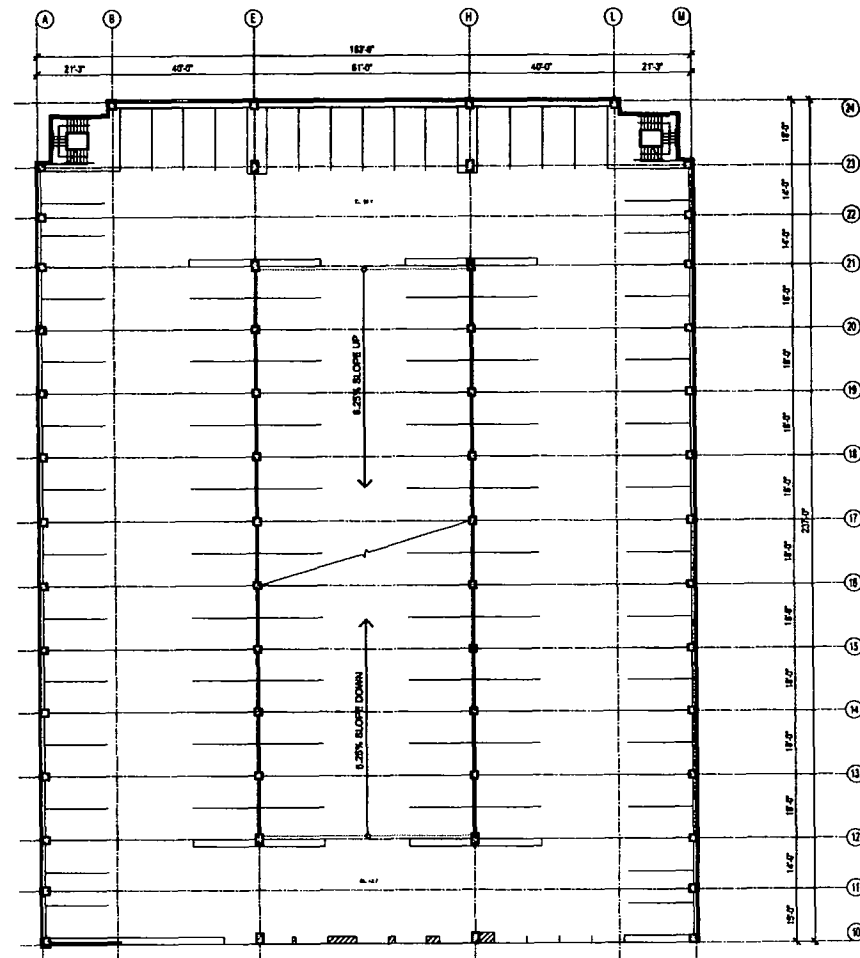
AMBLING
COMPANIES
GPA-5034
ZON-4941
VAR-5035
SDR-5155

REVISED



PARKING DECK 100 - LEVEL 1

REVISED
11-12-04



PARKING DECK 100 - LEVEL 2

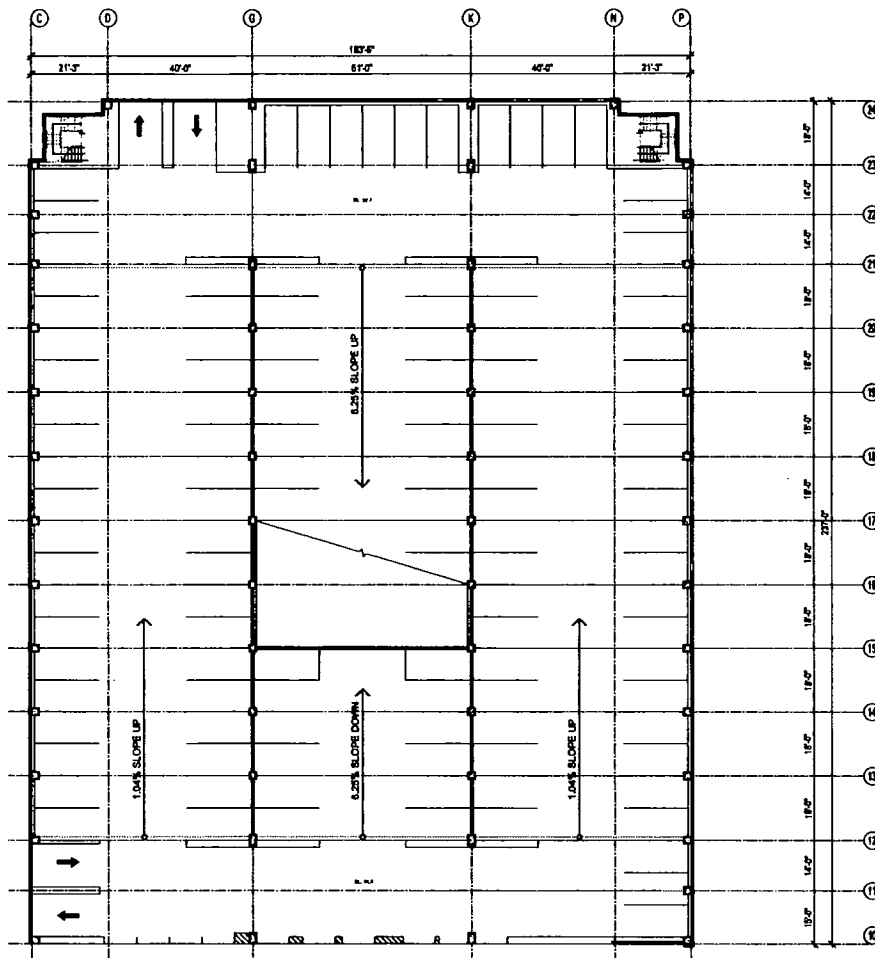
NOVEMBER 10, 2004

AMBLING
COMPANY
GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
REVISED

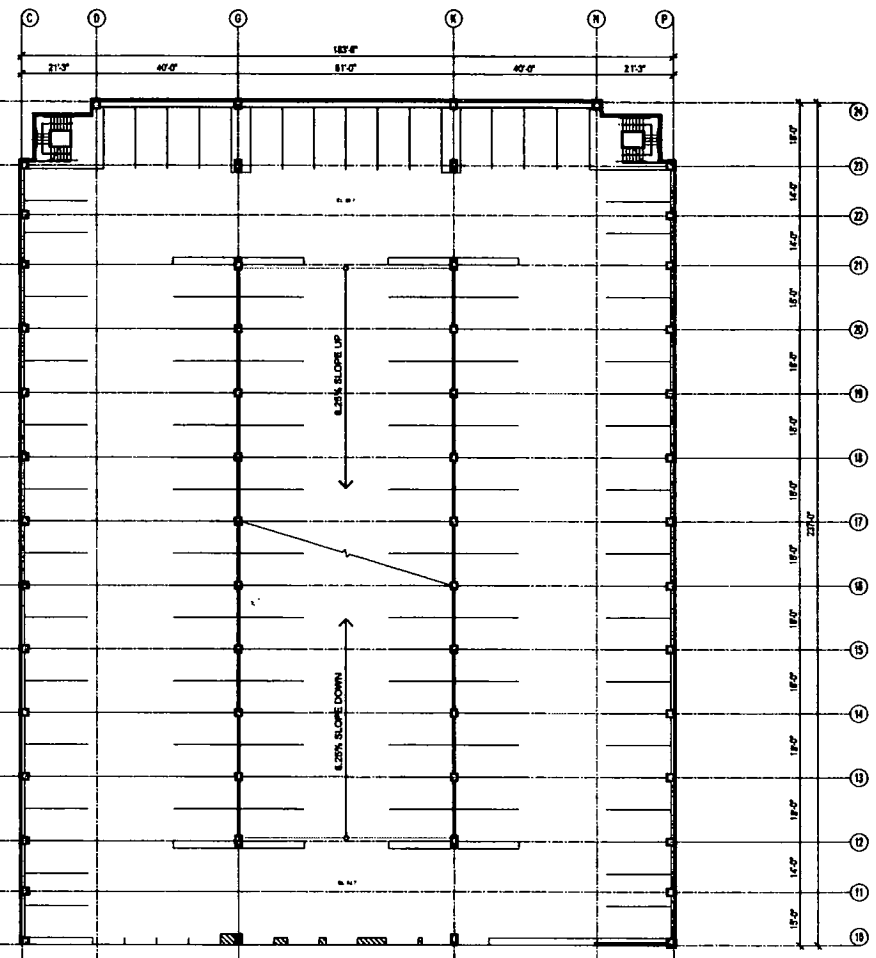
RECEIVED
NOV 12 2004

Edwin R. Kinsey Jr., AIA
Architects - Urban Design - Planning
4440 South Las Vegas Blvd. Suite 200
Las Vegas, NV 89119
Phone: 702.735.1111
Fax: 702.735.1112
www.edwinrkinsey.com
NOT RELEASED FOR CONSTRUCTION



PARKING DECK 200 - LEVEL 1

REVISED
11-12-04



PARKING DECK 200 - LEVEL 2

NOVEMBER 10, 2004

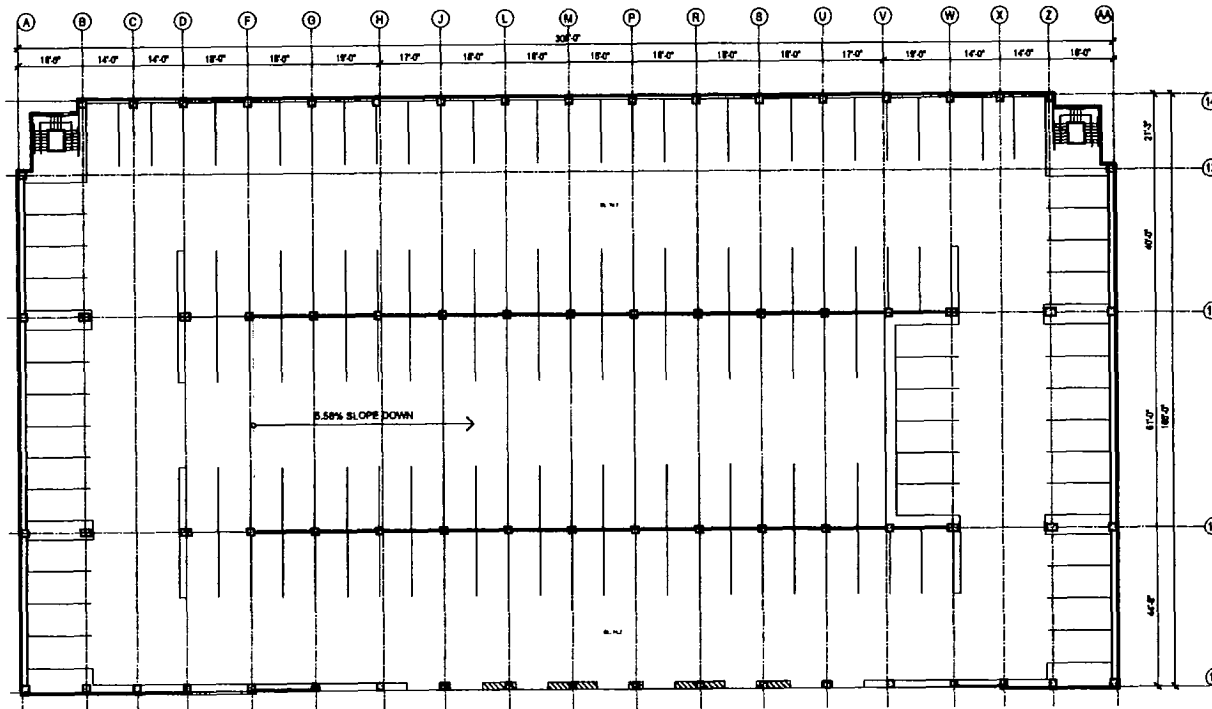
AMBLING
COMPANIES
GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA
REVISED

RECEIVED
NOV 12 2004

Edwin R. Kimsey Jr., AIA
Architecture - Urban Design - Planning
1000 West Lake Road NW
Kennesaw, GA 30144
404.426.1500
FAX 404.426.1501
www.edkimsey.com
NOT RELEASED FOR CONSTRUCTION

.....



PARKING DECK 300 - LEVEL 3

NOVEMBER 10, 2004



REVISED
11-17-04

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

RECEIVED

NOV 12 2004

Edwin R. Kimsey Jr., AIA
Architect - Civil Engineer - Planner
10000 Las Vegas Blvd. N.E.
Suite 1000
Las Vegas, NV 89121
Phone: (702) 799-1111 Fax: (702) 799-1112
www.edwinrkimsey.com

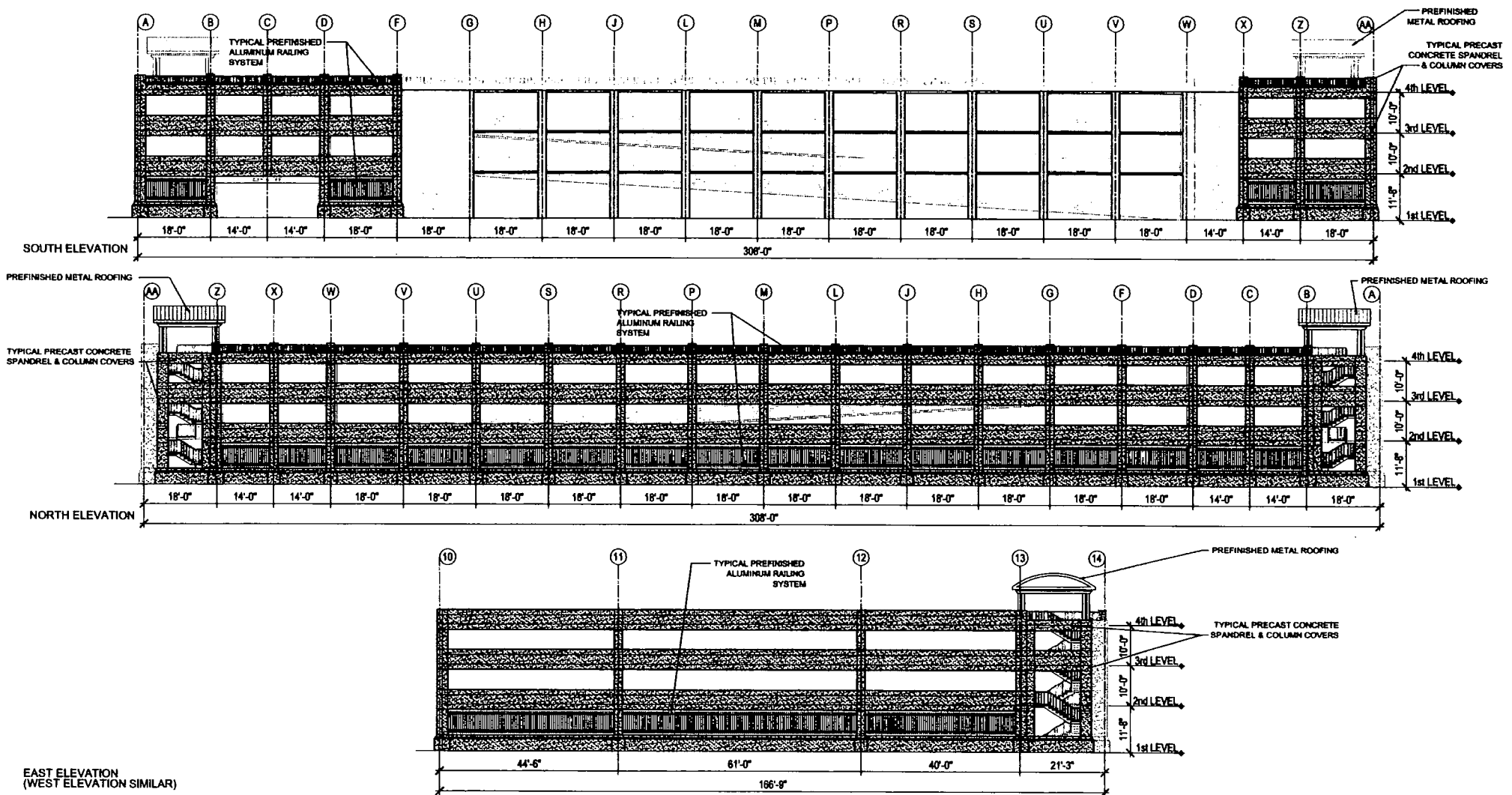


NOT RELEASED FOR CONSTRUCTION

GPA-5034
ZON-4941
VAR-5035
SDR-5155

REVISED





REVISED
11-2-04

PARKING DECK 300 - ELEVATIONS

NOVEMBER 10, 2004



GPA-5034
ZON-4941
VAR-5035
SDR-5155

ALTA DRIVE HIGH-RISE
PROPOSED DEVELOPMENT
LAS VEGAS, NEVADA

REVISED

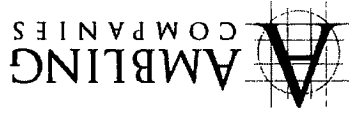
RECEIVED

NOV 12 2004

Edwin R. Kinsey Jr., AIA

Architect - Urban Design - Planning
Architectural Firm
1000 W. Sahara Ave., Suite 1000
Las Vegas, NV 89106
702.735.1234
www.kinseyjr.com

NOT RELEASED FOR CONSTRUCTION



SDR-5155
VAR-5035
ZON-4941
GPA-5034

REVISED
11-2-04

REVISED

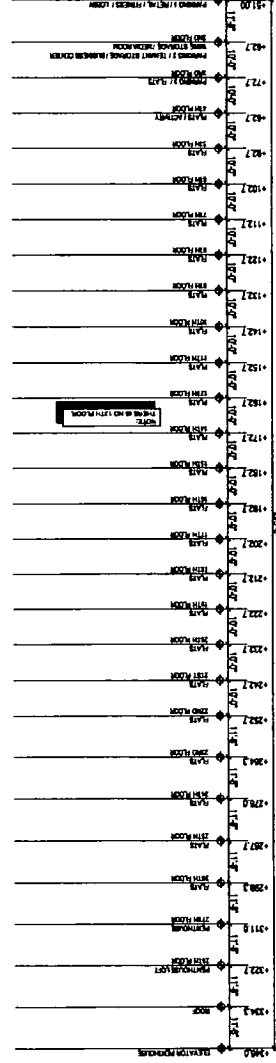
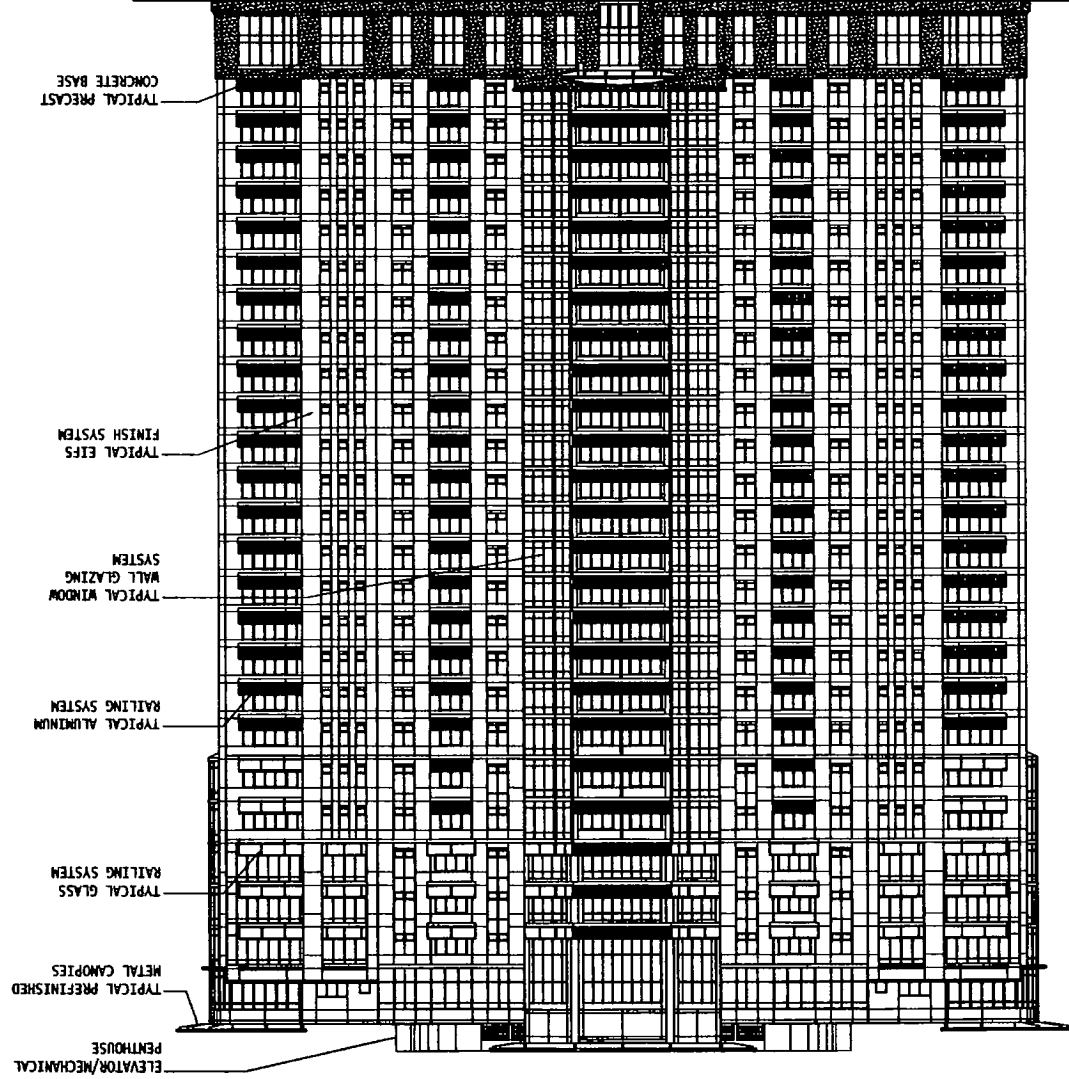
ALTA DRIVE HIGH-RISE PROPOSED DEVELOPMENT LAS VEGAS, NEVADA

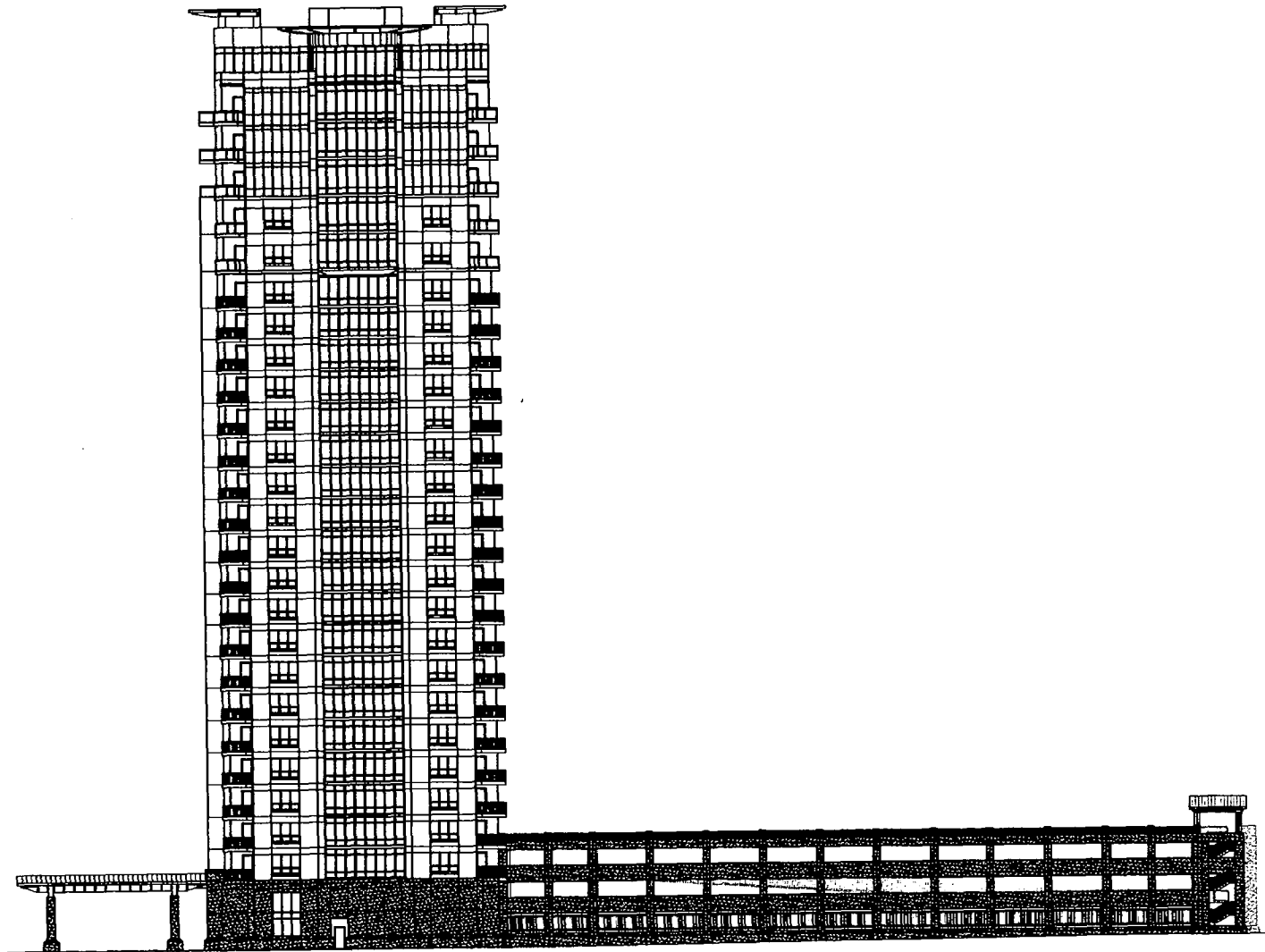
RECEIVED
NOV 12 2004

Edwin R. Kimsey Jr., AIA
Architect
1000 West Flamingo Avenue, Suite 200
Las Vegas, NV 89119
702.735.1111
NOT RELEASED FOR CONSTRUCTION

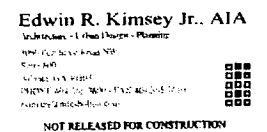
NOVEMBER 10, 2004

SOUTH ELEVATION BUILDING 100





NOVEMBER 10, 2004



REVISÉ



AMBLING
COMPANIES

REVISD
11-2-04

GPA-5034
ZON-4941
VAR-5035
SDR-5155

REVISED

LAS VEGAS, NEVADA

ALTA DRIVE HIGH-RISE PROPOSED DEVELOPMENT

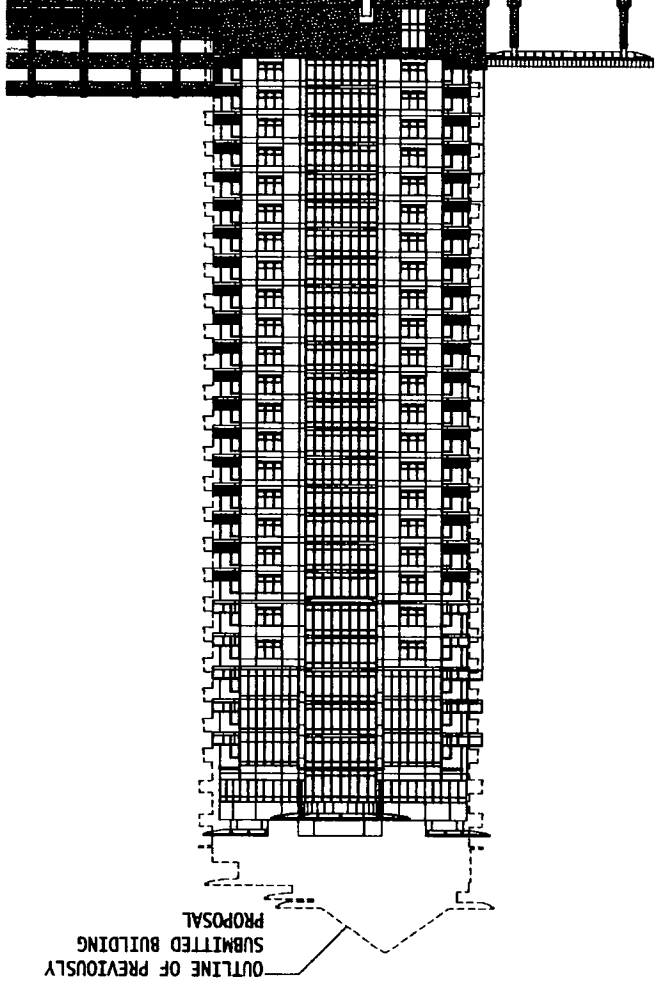
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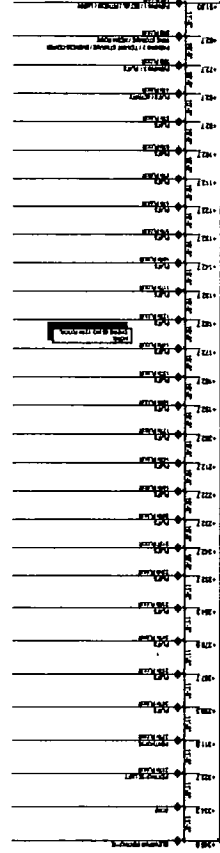
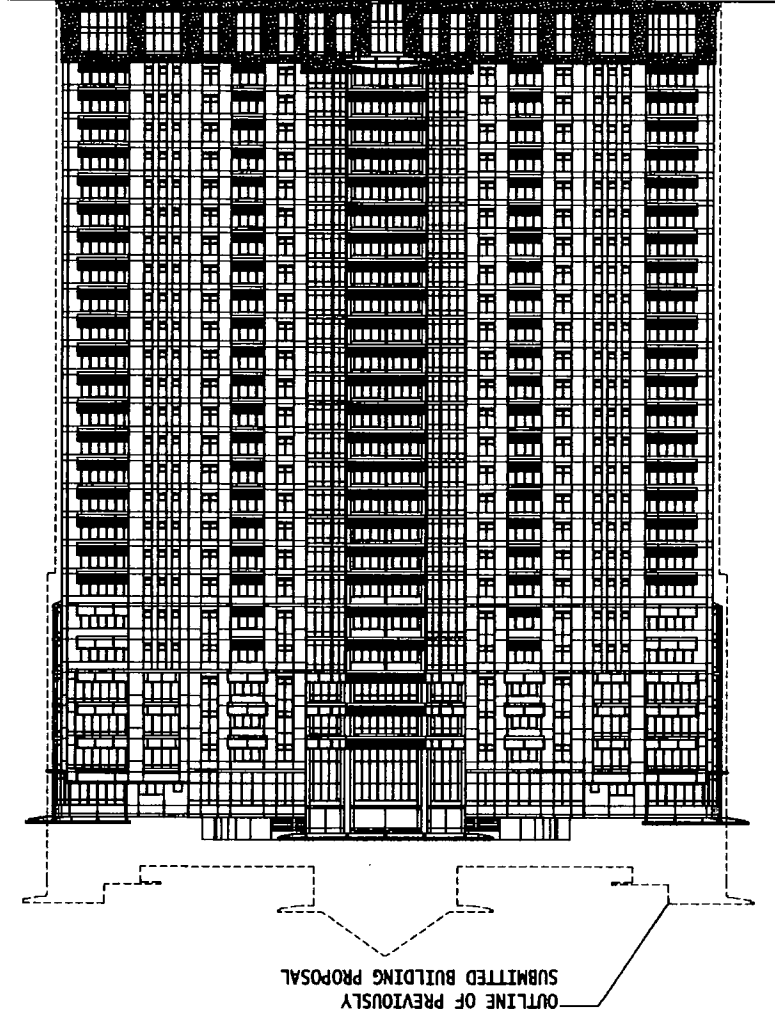
Edwin R. Kinsey Jr., AIA
Architect
1000 E. Flamingo Ave., Suite 100
Las Vegas, NV 89119
NOT RELEASED FOR CONSTRUCTION

NOVEMBER 10, 2004

EAST ELEVATION
BUILDING 100



SOUTH ELEVATION
BUILDING 100





SDR-5155 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04



SDR-5155 - APPLICANT: AMBLINE MULTI-FAMILY DEVELOPMENT - OWNER: ALTA MLK, LLC
NORTH OF ALTA DRIVE AND WEST OF MARTIN L. KING BOULEVARD
NOVEMBER 4, 2004 PLANNING COMMISSION

10/15/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT**DIRECTOR: ROBERT GENZER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:****GENERAL PLAN AMENDMENT**

GPA-5120 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICHL AND CAROLYN MICHL, ET AL - Request to amend a portion of the Southwest Sector Plan of the General Plan FROM: GC (GENERAL COMMERCIAL) TO: ML (MEDIUM-LOW DENSITY RESIDENTIAL) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	4
City Council Meeting	0

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	0

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after final agenda - Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] filed under Item 114 [GPA-5120]

MOTION:

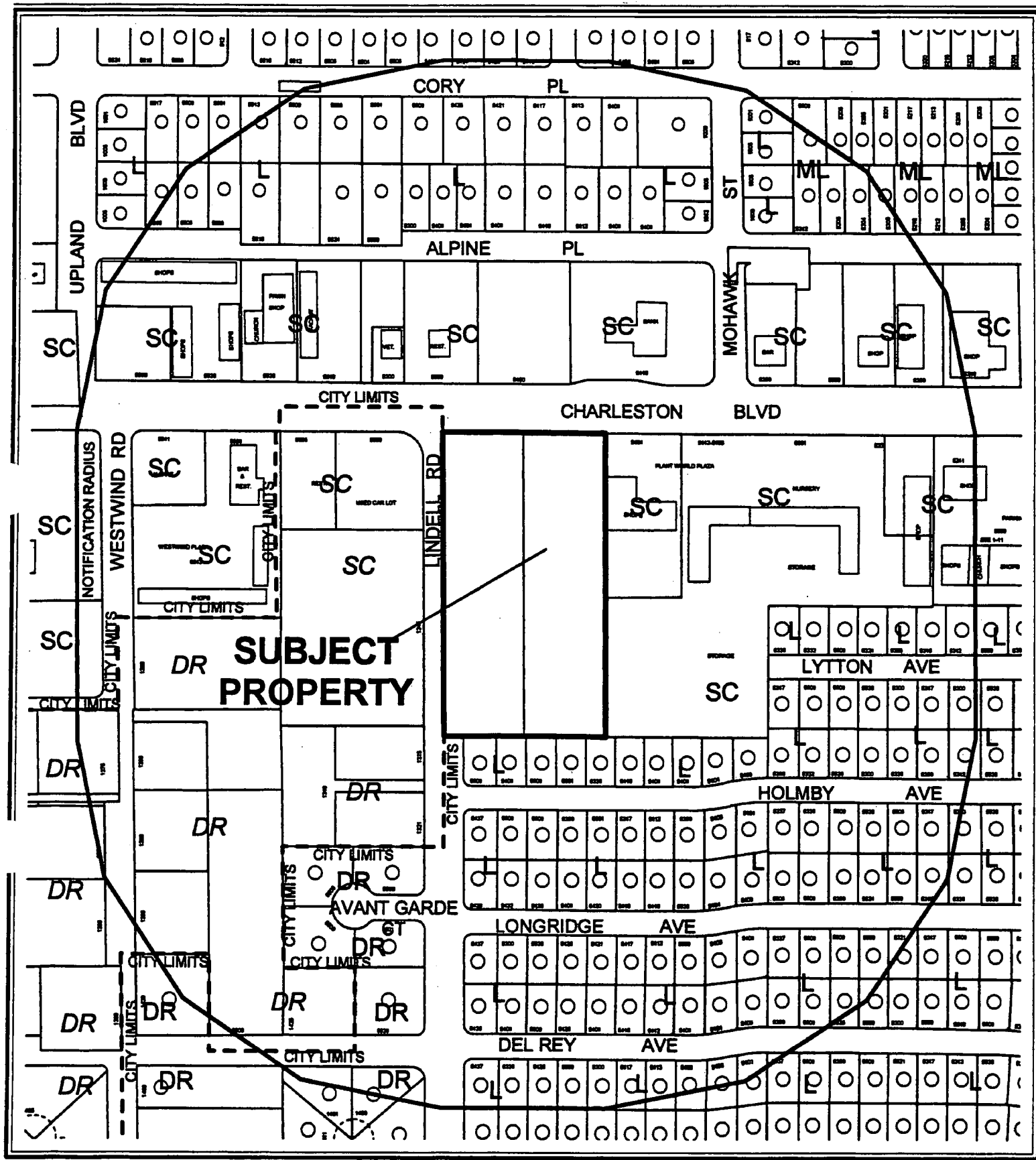
REESE - Motion to STRIKE Item 67 [5504 and 5516 Alpine Place], TABLE Item 87 [SUP-4830] and to HOLD IN ABEYANCE Item 88 [SUP-5228], Item 89 [SDR-5094], Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] to 12/15/2004 and Item 98 [SUP-5466] to 1/19/2005 - UNANIMOUS with BROWN, MACK and MONCRIEF excused

MINUTES:

There was no related discussion.

(1:39 - 1:41)

4-1



CASE: GPA-5120

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

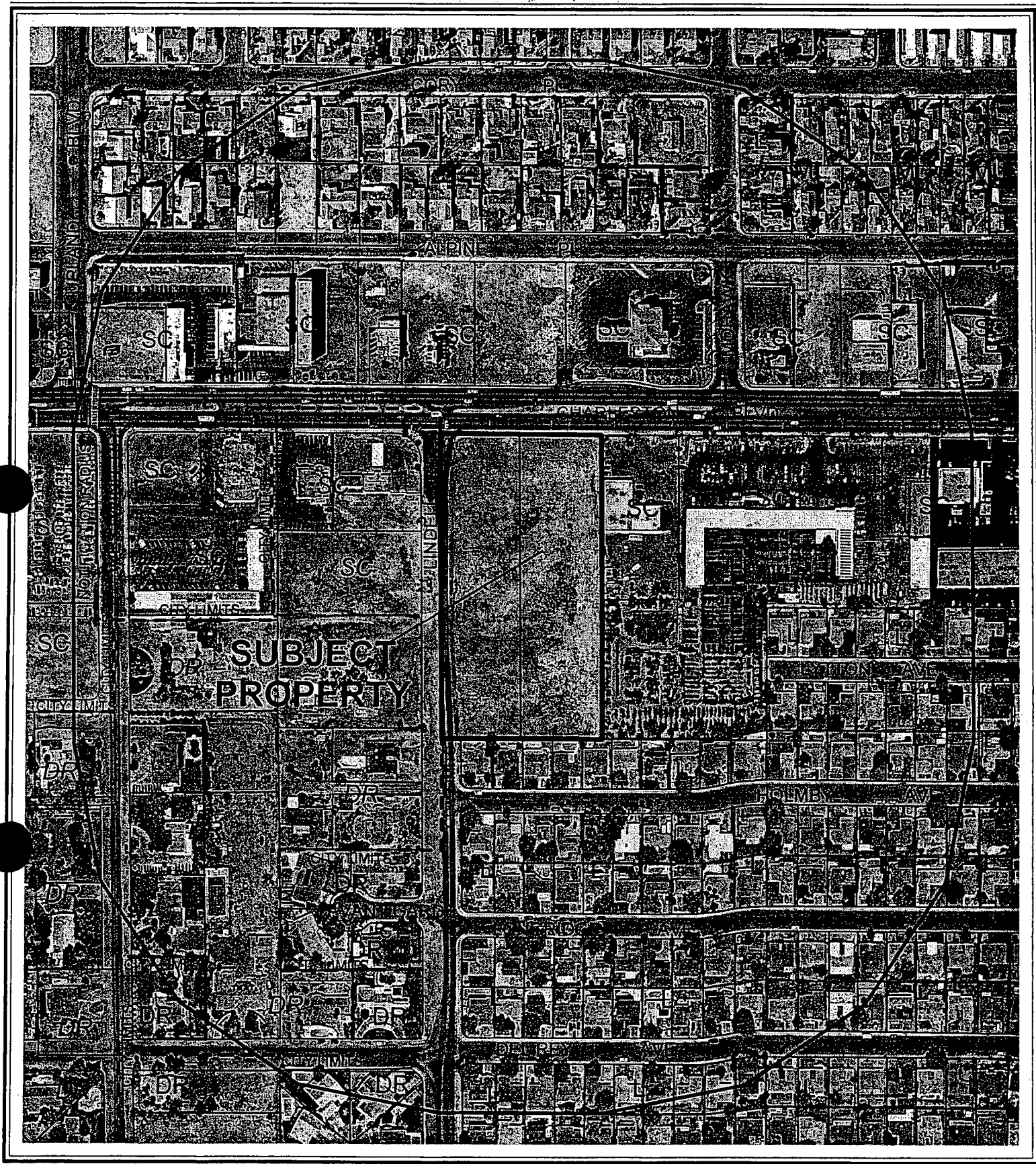
GC (GENERAL COMMERCIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

ML (MEDIUM-LOW DENSITY RESIDENTIAL)

0 200 400 Feet





CASE: GPA-5120

RADIUS: 750 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
GC (GENERAL COMMERCIAL)

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



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5120 - APPLICANT: RICHMOND
AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL**

***THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY
COUNCIL MEETING AT THE APPLICANT'S REQUEST.***

**** CONDITIONS ****

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

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to amend a portion of the Southwest Sector Plan of the General Plan from GC (General Commercial) to ML (Medium-Low Density Residential) located adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

The applicant's justification letter states that the parcel in question is a true in-fill parcel that has not developed as commercial. The letter continues to state as the population of the Las Vegas area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties. The applicant further states that this (residential) product on this infill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND DATA:

- | | |
|----------|---|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for SC (Service Commercial) land uses. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. |
| 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. |
| 05/16/01 | The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01. |
| 05/16/01 | The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01). |

- 08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.
- 12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.
- 10/07/04 The Planning Commission recommended approval of the accompanying applications for a Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), a Variance (VAR-5124) to reduce the open space requirement, and Site Development Plan Review (SDR-5122) for a 40-lot single-family residential development.
- 10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #32/ar).

DETAILS OF APPLICATION REQUEST

Site Area: 5.0 Acres

EXISTING LAND USE

Subject Property	Undeveloped
North	Undeveloped and Commercial
South	Single Family Residential
East	Commercial and Outdoor storage for plant nursery
West	Used car lot, Undeveloped and Single Family Residential

PLANNED LAND USE

Subject Property	GC (General Commercial)
North	SC (Service Commercial)
South	L (Low Density Residential)
East	SC (Service Commercial)
West	SC (Service Commercial)

EXISTING ZONING

Subject Property U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North R-1 (Single Family Residential) and C-1 (Limited Commercial)
South R-1 (Single Family Residential)
East C-1 (Limited Commercial)
West Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

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

DEFINITIONS

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.

GC (General Commercial)

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

ANALYSIS

To the north is a restaurant and undeveloped property designated as Service Commercial; to the south is a single family residential subdivision designated as Low Density Residential; to the west is a used car lot located within Clark County designated as Service Commercial; and to the east is a developed commercial center and a plant nursery designated as Service Commercial.

The proposed land use of ML (Medium-Low Density Residential) is not compatible with the properties designated as SC (Service Commercial) immediately adjacent on all three sides of the project site. Furthermore, the residential use is not an appropriate infill project for the site due to the intense commercial nature of the Charleston Boulevard corridor.

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 of ML (Medium Low Density Residential) permits up to 8 dwelling units/per gross acre. This category 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. The property is located in an area where high intensity commercial uses exist. The frontage along Charleston Boulevard is designated for general commercial uses due to the high traffic volume. Intermixing single-family residential development with high intensity commercial uses is not a compatible combination of land uses. Therefore, it is recommended that this application be denied.

In regard to “2”: The intensity of the zoning districts that are permitted within the ML (Medium-Low Density Residential) land use category is not compatible with the uses permitted in the adjacent C-1 (Limited Commercial) property. The proposed zoning of R-PD8 (Residential Planned Development – 8 units per acre) would permit the proposed 40-lot single-family residential development. However, the proposed zoning designation is not compatible with adjacent C-1 (Limited Commercial) zoning designations to the north and east and the Clark County commercially-zoned lands to the west, due to the high intensity commercial uses permitted in these zones.

In regard to “3”: There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed residential development. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne (located at the northwest corner of Cheyenne and Metro Academy Way, west of Grand Canyon). Fire Station #5, located near Charleston Boulevard and Hinson Street is the closest city facility to the site.

In regard to "4": The request does not comply with Policy 2.1.2 of the Las Vegas 2020 Master plan that calls for development on vacant or underutilized lots within existing neighborhoods to be sensitive in use and design to surrounding development. The proposed project, a 40-lot single family residential development is not compatible with the existing adjacent high intensity commercial uses. There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09/07/04 A neighborhood meeting was held on Tuesday, September 7, 2004 at 6 p.m. at the Charleston Heights Arts Center, 800 S. Brush Street. Fifteen people attended and had the following concerns:

The proposed density of eight units per acre is not compatible with existing residential development to the south. Residents believe five per acre to be more appropriate.

Additional traffic would be placed on Lindell. Residents would like an island installed on Lindell in such a manner as to restrict left hand turns (south bound) turns on to Lindell.

Change of product from single family detached to condos or multi-family.

Two story houses along the south property line inhibit privacy of existing adjacent dwellings. Residents prefer single story.

The width of the proposed lots is not comparable to the width of existing lots.

Parking problems within proposed subdivision could lead to parking within existing neighborhoods.

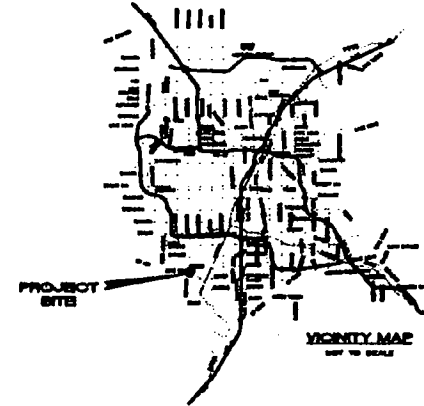
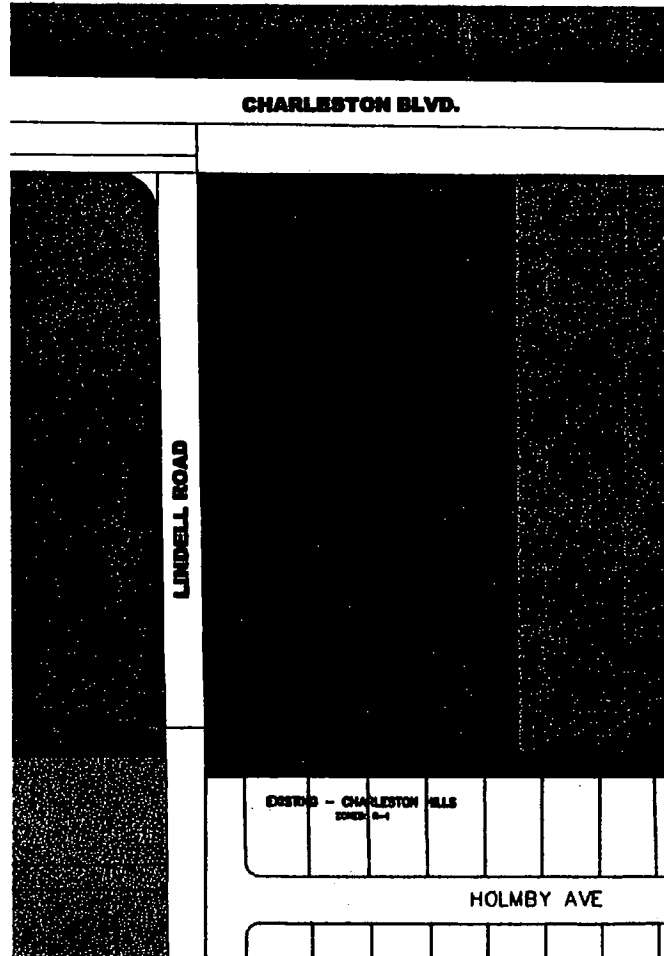
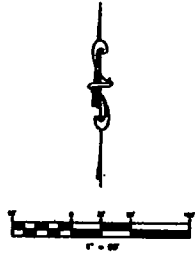
NOTICES MAILED: 202 by Planning Department

APPROVALS: 0

PROTESTS: 4



CHARLESTON - LINDELL



OWNER
RONALD & CAROL M. MOY
2000 S. LINDELL
LAS VEGAS, NV 89117

DEVELOPER
RICHMOND AMERICAN HOMES
1000 WEST 1000 AVENUE SUITE 100
FARMINGTON, UTAH 84201

ASSESSORS PARCEL NUMBER
623-01-00-001.00

OVERALL TABULATIONS

EXISTING ZONE	R-1
PROPOSED ZONE	R-1
EXISTING LAND USE	RESIDENTIAL
PROPOSED LAND USE	RESIDENTIAL
# OF UNITS	0
GROSS ACREAGE	2.00 ACRES +/-
NET ACREAGE	2.00 ACRES +/-
OPEN SPACE REQUIRED	0.00 ACRES
OPEN SPACE PROVIDED	0.00 ACRES
- SEE REDUCTION # 01	

LEGEND

[Pattern]	GENERAL COMMERCIAL
[Pattern]	OFFICE COMMERCIAL
[Pattern]	LOW-DENSITY RESIDENTIAL
[Pattern]	PLANT NURSERY/SHED PRESENTATION

RICHMOND AMERICAN HOMES 1000 WEST 1000 AVENUE SUITE 100 FARMINGTON, UTAH 84201 (702) 871-1000	
RS CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS 1000 WEST 1000 AVENUE SUITE 100 FARMINGTON, UTAH 84201 (702) 871-1000	
SITE PLAN TO ACCOMPANY GPA / REZONING/SDR	CHARLESTON - LINDELL CITY OF LAS VEGAS, NEVADA
DATE: JUNE 1, 2004 DRAWN BY: A. HUE REVIEWED BY: A. HUE CHECKED BY: A. HUE SCALE:	PROJECT NO. RA-0067 DATE:
SHEET 1	TOTAL SHEETS 1

GPA-5120
10-07-04 PC

NOTES: THIS PLAN WAS PREPARED USING EXISTING INFORMATION. IF IN DISCREPANCY, THE CITY OF LAS VEGAS SHALL BE RESPONSIBLE FOR THE ACCURACY OF THE INFORMATION. THIS PLAN IS TO BE USED FOR PLANNING PURPOSES ONLY. NO LIABILITY IS ASSURED.



GPA-5120 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: RICHMOND
AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW
WWW.KKBR.COM

3800 Howard Hughes Parkway
Seventh Floor
Las Vegas, NV 89109-0907
Tel: 702.792.7000
Fax: 702.799.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

JENNIFER LAZOVICH
jlazovich@kkbr.com

November 23, 2004

VIA FACSIMILE
382-4803

Barbara Jo Ronemus
CITY OF LAS VEGAS
CITY CLERK
400 Stewart Ave.
Las Vegas, NV 89101

RECEIVED
CITY CLERK
2004 NOV 23 P 5:39

Re: Request to hold (GPA-5120, ZON-5121, VAR-5124, SDR-5122)
Applicant: Richmond American Homes
City of Las Vegas City Council Meeting
December 1, 2004

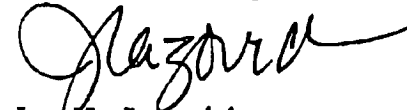
Dear Ms. Ronemus:

On behalf of the applicant, we respectfully request that the above referenced applications scheduled to be heard by the City of Las Vegas City Council on December 1, 2004 be held until the **December 15, 2004** City of Las Vegas City Council meeting in order to work out environmental issues with the site.

If you have any questions, please do not hesitate to contact me.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW



Jennifer Lazovich

JL/dmf

cc: Manny Pattai



148286_1

Submitted after final agenda

Date 11/24/04 Item #114-117 8586.82

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

REZONING RELATED TO GPA-5120

ZON-5121 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL) TO: R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] filed under Item 114 [GPA-5120]

MOTION:

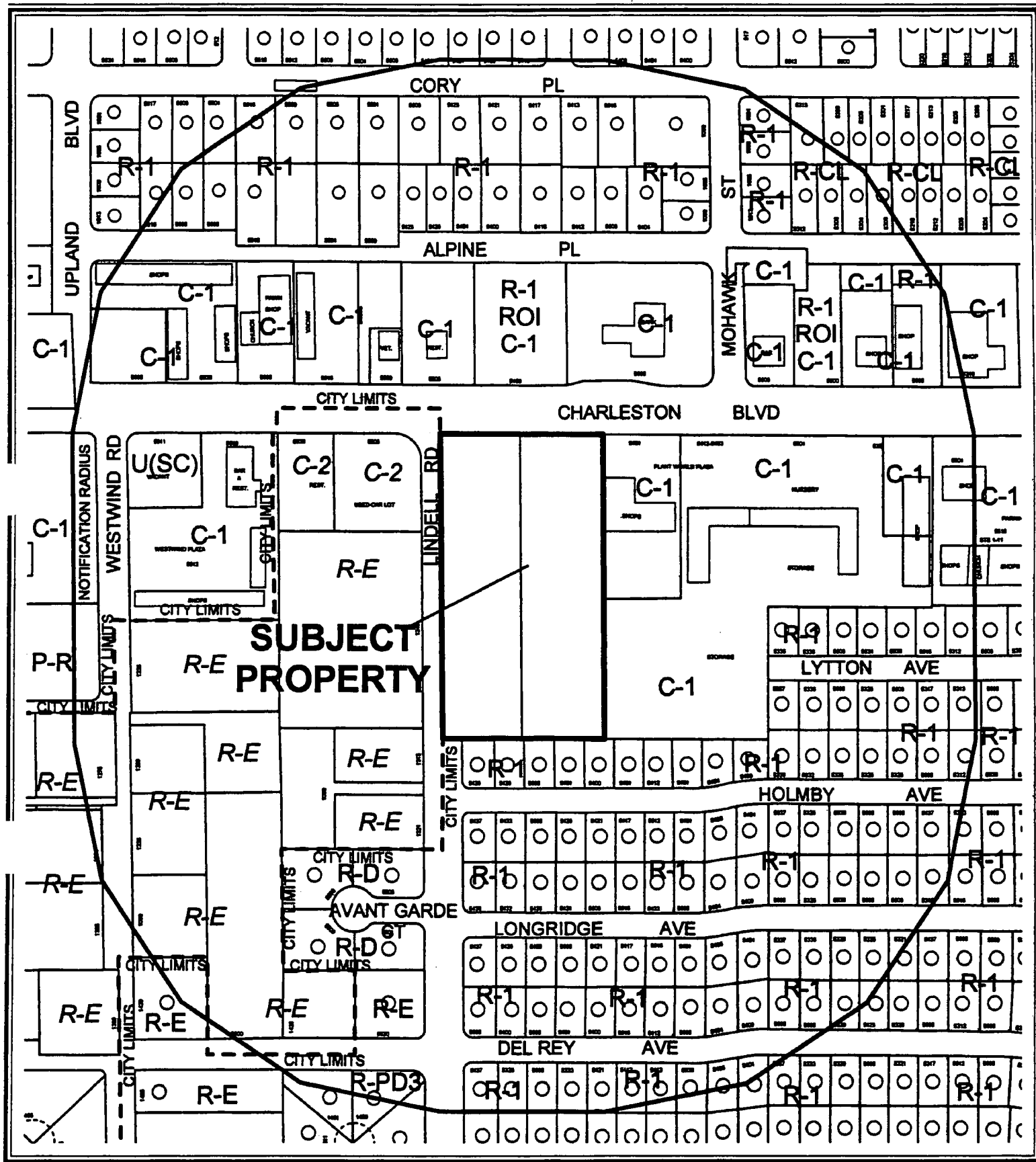
REESE - Motion to STRIKE Item 67 [5504 and 5516 Alpine Place], TABLE Item 87 [SUP-4830] and to HOLD IN ABEYANCE Item 88 [SUP-5228], Item 89 [SDR-5094], Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] to 12/15/2004 and Item 98 [SUP-5466] to 1/19/2005 - UNANIMOUS with BROWN, MACK and MONCRIEF excused

MINUTES:

There was no related discussion.

(1:39 - 1:41)

4-1



CASE: ZON-5121

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

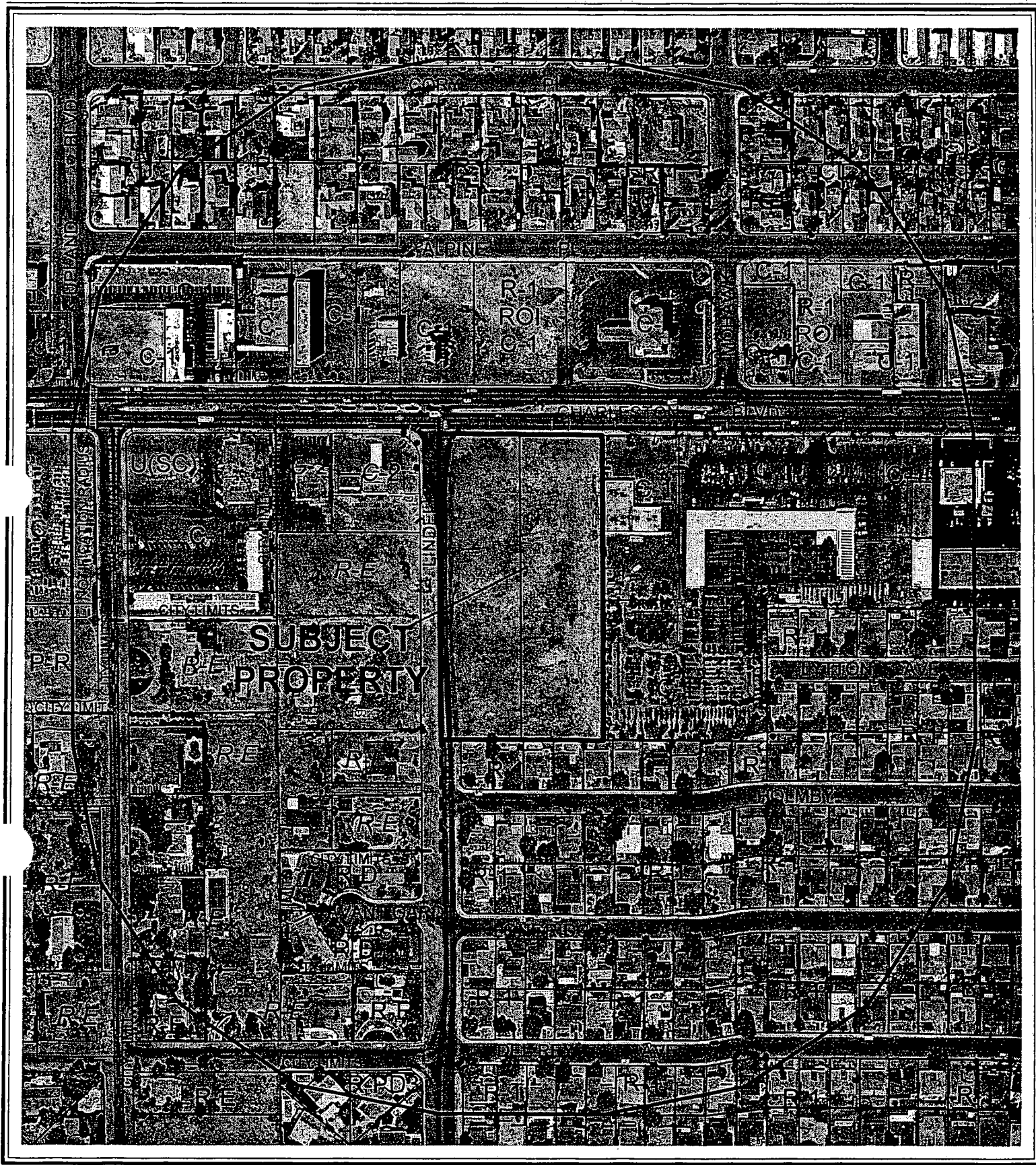
U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

115





CASE: ZON-5121

RADIUS: 750 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
 UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE ITEM - ZON-5121 - APPLICANT: RICHMOND
AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. A General Plan Amendment (GPA-5120), a Variance (VAR-5124), and a Site Development Plan Review (SDR-5122) approved by the City Council and prior to the issuance of any permits, any site grading, and any development activity for the site.
2. A Resolution of Intent with a two-year time limit.

Public Works

3. Dedicate 40 feet of right-of-way adjacent to this site for Lindell Road and dedicate a 54-foot radius on the southeast corner of Charleston Boulevard and Lindell Road.
4. Construct half-street improvements including appropriate overpaving on Lindell Road adjacent to this site concurrent with development of this site. Construct all incomplete half-street improvements on Charleston Boulevard 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. Obtain permission from Clark County for any work proposed on the west side of Lindell Road prior to the issuance of any permits.
5. Obtain an Occupancy Permit from the Nevada Department of Transportation for all landscaping and private improvements in the Charleston Boulevard public right-of-way adjacent to this site prior to the issuance of any permits.
6. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
7. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits,

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

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for Rezoning from U (Undeveloped) [GC (General Commercial) General Plan Designation] under ROI to C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre) on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- The parcel in question is a true in-fill parcel that has not developed as commercial.
- As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties.
- There is a need to develop affordable housing on in-fill parcels which allows less burdens on getting infrastructure to these properties but due to the nature of the infill property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.
- This product on this in-fill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND INFORMATION

A) Actions

05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.

05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01 (1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

- 08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.
- 12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.
- 10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5124) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for a Variance (VAR-5124) to reduce the open space requirement, and for a Site Development Plan Review (SDR-5122) for a 40-lot single-family residential development.
- 10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #33/ds).

B) Pre-Application Meeting

- 08/04/04 The staff met with the applicant to review a prospective development consisting of a 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, rezoning of the property to an R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, a Variance to the open space standards for the R-PD8 Zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

- 09/07/04 A neighborhood meeting was held on the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:
- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
 - More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand turns (south bound) turns onto Lindell Road.

- Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.
- The width of lots is too narrow compared to the width of existing lots.
- Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.0 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped and Commercial
South: Single Family Residential
East: Commercial and Outdoor storage for plant nursery
West: Used car lot, Undeveloped and Single Family Residential

C) Planned Land Use

Subject Property: GC (General Commercial)
North: SC (Service Commercial)
South: L (Low Density Residential)
East: SC (Service Commercial)
West: Clark County

D) Existing Zoning

Subject Property: U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North: R-1 (Single Family Residential) and C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) General Plan Compliance

The property is located in the Southwest Sector of the General Plan. The Southwest Sector Map designates the subject property as GC (General Commercial). The property is currently zoned C-2 (General Commercial), a zone that is permitted in the GC land use classification. This application proposes to rezone the property to R-PD8 (Residential Planned Development - 8 Units Per Acre), which is not permitted in the GC classification. The applicant, therefore, is proposing to amend the General Plan designation for the property to ML (Medium-Low Density Residential).

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

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

A) Zoning Code Compliance

A full analysis of compliance with the Zoning Code is addressed with the accompanying Site Development Plan Review (SDR-5122).

B) General Analysis and Discussion

The property is located in an area with existing and proposed high intensity commercial uses. The frontage along Charleston Boulevard is designated for general commercial uses because of the high traffic volume on this street. Regardless of the decision made as to the ultimate zoning of this property, the frontage is expected to continue developing in a commercial classification. For that reason, intermixing single-family residential development with high intensity commercial uses is not a compatible juxtaposition of land uses. Therefore, it is recommended that this application be denied.

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 subject property is presently designated GC (General Commercial) for commercial development. The district would not permit the subject proposed development. For this reason, the applicant is requesting that the General Plan be amended to a ML (Medium-Low Density Residential) classification to permit it. The staff is recommending that that application be denied.

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 north and south are developed for single-family use. However, some additional property to the north and adjacent property to the east and west are developed or designated for high intensity commercial uses. These commercial uses are not compatible to a single-family residential use.

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

The subject property is located in an area that is a well-established commercial area. This land use is not expected to change. For this reason, it is recommended that the present land use classification and zoning district remain and that the subject application be denied.

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 abuts Charleston Boulevard, a Primary Arterial (100-foot wide) street, and Lindell Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. The subdivision would have access to Lindell Road, approximately 400 feet south of Charleston Boulevard. These streets provide adequate access to the property.

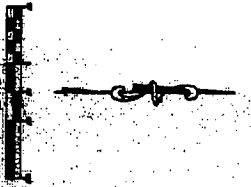
NOTICES MAILED 202 by Planning Department

APPROVALS 0

PROTESTS 4

CHARLESTON - LINDELL

CHARLESTON BLVD.



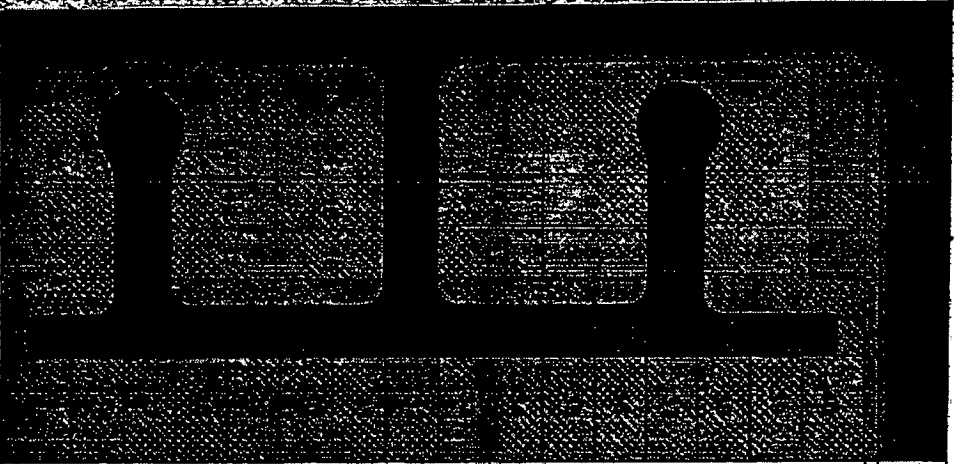
APN: 163-01-103-026
ZONE: C-1

APN: 163-01-103-026
ZONE: C-1

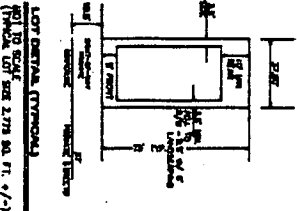
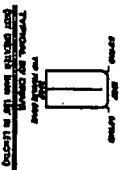
LINDELL ROAD

REVISED 10-5-04

EXISTING - CHARLESTON HILLS
ZONE: R-1

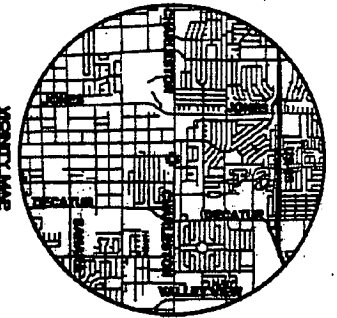


APN: 163-01-103-013
ZONE: C-1



DEVELOPER
RICHMOND AMERICAN HOMES
2800 PIED MOUNT DRIVE, SUITE 100
SPRINGFIELD, MA 01104
(781) 617-0000

GENERAL INFORMATION
Project Name: C-1
Location: Charleston - Lindell
City: Las Vegas, NV
Lot Area: 2.775 SQ. FT. +/-
Lot Dimensions: 100' x 100'
Lot Zoning: C-1
Lot Status: Vacant



ZON-5121

VAR-5124

SDR-5122

10-7-04 PC

REVISED 10-5-04

PRELIMINARY SITE PLAN TO ACCOMPANY GPA / REZONING/SDR CHARLESTON - LINDELL CITY OF LAS VEGAS, NEVADA		RICHMOND AMERICAN HOMES 2800 PIED MOUNT DRIVE, SUITE 100 SPRINGFIELD, MA 01104 (781) 617-0000
RECEIVED OCT 13 2004 PLANNING DEPT. 10-7-04 PC	RS CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS 2800 PIED MOUNT DRIVE, SUITE 100 SPRINGFIELD, MA 01104 (781) 617-0000	1 1 1



ZON-5121 - REZONING - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES -
OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

VARIANCE RELATED TO GPA-5120 AND ZON-5121

VAR-5124 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Variance TO ALLOW 0.44 ACRES OF OPEN SPACE WHERE 0.66 ACRES IS THE MINIMUM REQUIRED FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), GC (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission (6-0-1 vote) recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Submitted after final agenda - Abeyance request by Kummer Kaempfer Bonner & Renshaw for Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] filed under Item 114 [GPA-5120]

MOTION:

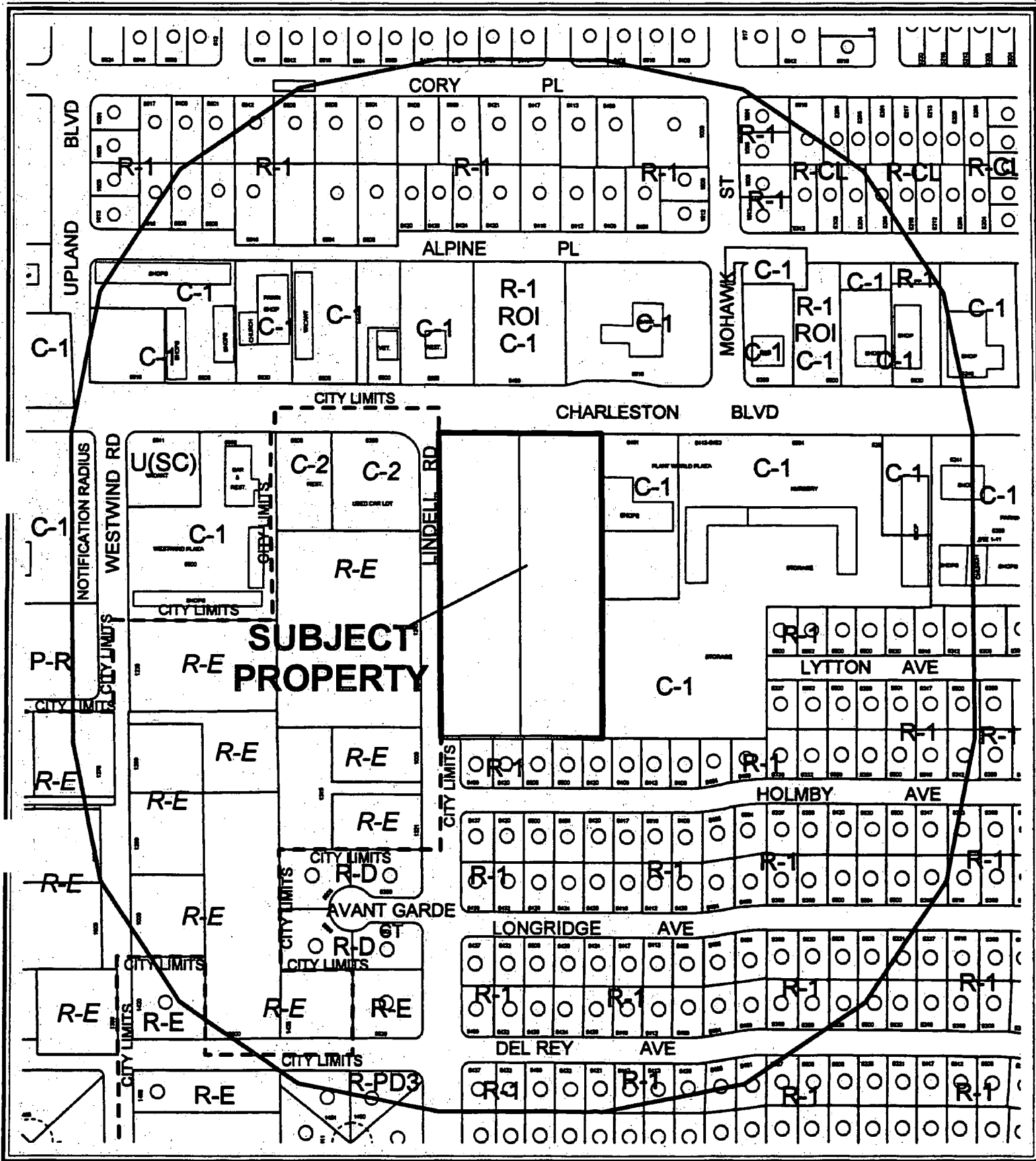
REESE - Motion to STRIKE Item 67 [5504 and 5516 Alpine Place], TABLE Item 87 [SUP-4830] and to HOLD IN ABEYANCE Item 88 [SUP-5228], Item 89 [SDR-5094], Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] to 12/15/2004 and Item 98 [SUP-5466] to 1/19/2005 - UNANIMOUS with BROWN, MACK and MONCRIEF excused

MINUTES:

There was no related discussion.

(1:39 - 1:41)

4-1



CASE: VAR-5124

RADIUS: 750 FT

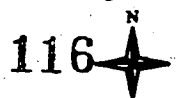
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [GC (GENERAL COMMERCIAL) GENERAL PLAN DESIGNATION]
UNDER RESOLUTION OF INTENT TO C-2 (GENERAL COMMERCIAL)

PROPOSED ZONING OF SUBJECT PROPERTY:

R-PD8 (RESIDENTIAL PLANNED DEVELOPMENT - 8 UNITS PER ACRE)

0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - VAR-5124 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. Approval of and conformance to the Conditions of Approval for an amendment to the General Plan (GPA-5120), Rezoning (ZON-5121), and a Site Development Plan Review (SDR-5122).
2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.
3. In lieu of compliance with the open space requirements of Municipal Code 19.06.040, the developer will be allowed to make a contribution to the city of Las Vegas Parks CIP Fund in the amount of 9,549 square feet (amount waived) x \$4.00 or \$38,196 to be utilized by the City Council for improvements to existing public parks nearby. This contribution must be made to Land Development prior to approval of a Final Map; otherwise, the developer is still required to comply with the Open Space requirement in accordance with Title 19 of the Las Vegas Municipal Code.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow 0.44 acres of open space where 0.66 acres is the minimum required for a proposed 40-lot single-family residential development on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road..

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- It is our concern with the recent development within the Las Vegas Valley and our current water situation that we become proactive.
- It is with our best intention to continue to provide open space amenities for our residents but also be concerned with the future of Southern Nevada and review the quality of open space we are providing for our residents.

BACKGROUND INFORMATION

A) Actions

- 05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.
- 05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).
- 08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.

- 12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.
- 10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5120) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), and for a Site Development Plan Review (SDR-5122).
- 10/07/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #34/dds).

B) Pre-Application Meeting

- 08/04/04 The staff met with the applicant to review a prospective 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, Rezoning of the property, a Variance in the open space standards for an R-PD zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

- 09/07/04 A neighborhood meeting was held with the surrounding property owners for the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:
- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
 - More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand (south bound) turns onto Lindell Road.
 - Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.
 - The width of lots is too narrow compared to the width of existing lots.
 - Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 5.0 Acres

B) Existing Land Use

Subject Property: Undeveloped
North: Undeveloped and Commercial
South: Single Family Residential
East: Commercial and Outdoor storage for plant nursery
West: Used car lot, Undeveloped and Single Family Residential

C) Planned Land Use

Subject Property: GC (General Commercial)
North: SC (Service Commercial)
South: L (Low Density Residential)
East: SC (Service Commercial)
West: Clark County

D) Existing Zoning

Subject Property: U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North: C-1 (Limited Commercial) and R-1 (Single Family Residential)
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) General Plan Compliance

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is GC (General Commercial). An accompanying application proposes to amend the land use classification to ML (Medium-Low Density Residential). This 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
Development Impact Notification Assessment		X
Project of Regional Significance		X

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

A) Zoning Code Compliance

A1) Landscape and Open Space Standards

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

Total Acreage	Density (DU/A)	Required			Provided	
		Ratio	Percent	Area (s.f.)	Percent	Area (s.f.)
5 acres	8	1.65	13.2	28,750	8.8	19,201 sf

The amount of open space required for the subject development is deficient by 9,549 square feet. This deficiency is the purpose for the subject Variance request.

B) General Analysis and Discussion

This Variance is requested to allow 0.44 acres of open space where 0.66 acres is the minimum required for a proposed 40-lot single-family residential development. This difference of 9,549 square feet is a 34 percent reduction in the required amount of open space. A typical lot in the development has an area of 2,775 square feet, so meeting the open space requirement would necessitate the elimination of four lots in the development. The applicant expressed a concern for the current water situation in the Valley. Consequently, it is the applicant's interest to reduce the amount of open space. Regardless of the concern, whether a variance is warranted depends upon whether there exists a hardship or practical difficulty as discussed below.

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."

In view of the above criteria, it is recommend that the application be denied. This recommendation is based on the following findings, only one of which is grounds for denial:

- **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 of a hardship as legally defined is placed on the applicant, the person allegedly aggrieved by the requirement; however, no such evidence of a hardship 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 development the property.

- **Use of the property is not denied.** The question is one of whether the property could be developed for any use without consideration of a variance for a reduction in the amount of open space. The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. Although the property is undeveloped, it has excellent exposure to a high traffic carrier and it has been under a Resolution of Intent since 2001 for commercial development. Since profit motives and financial incentives are not a basis for granting a variance, it's inconceivable that the property cannot be used for any purpose for which it is currently zoned. If the property is rezoned to a residential classification, it also is inconceivable that the property could not be developed as a single-family subdivision with four fewer lots for the required amount of open space.

PLANNING COMMISSION ACTION

The Planning Commission believes the merits of the project warrant approval of the Variance.

NOTICES MAILED 205 by City Clerk

APPROVALS 0

PROTESTS 4



CHARLESTON - LINDELL

CHARLESTON BLVD.

APN: 163-01-103-025
ZONE: C-1

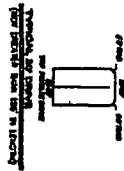
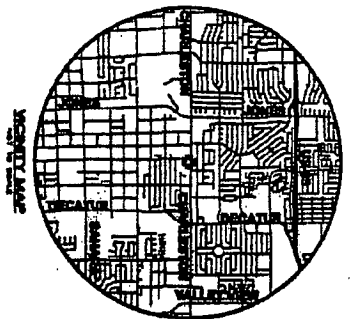
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ZONE: C-1

LINDELL ROAD

EXISTING - CHARLESTON HILLS
ZONE: R-1

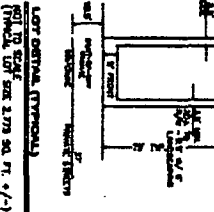
ZON-5121
VAR-5124
SDR-5122

10-7-04 PC
REVISED 10-5-04

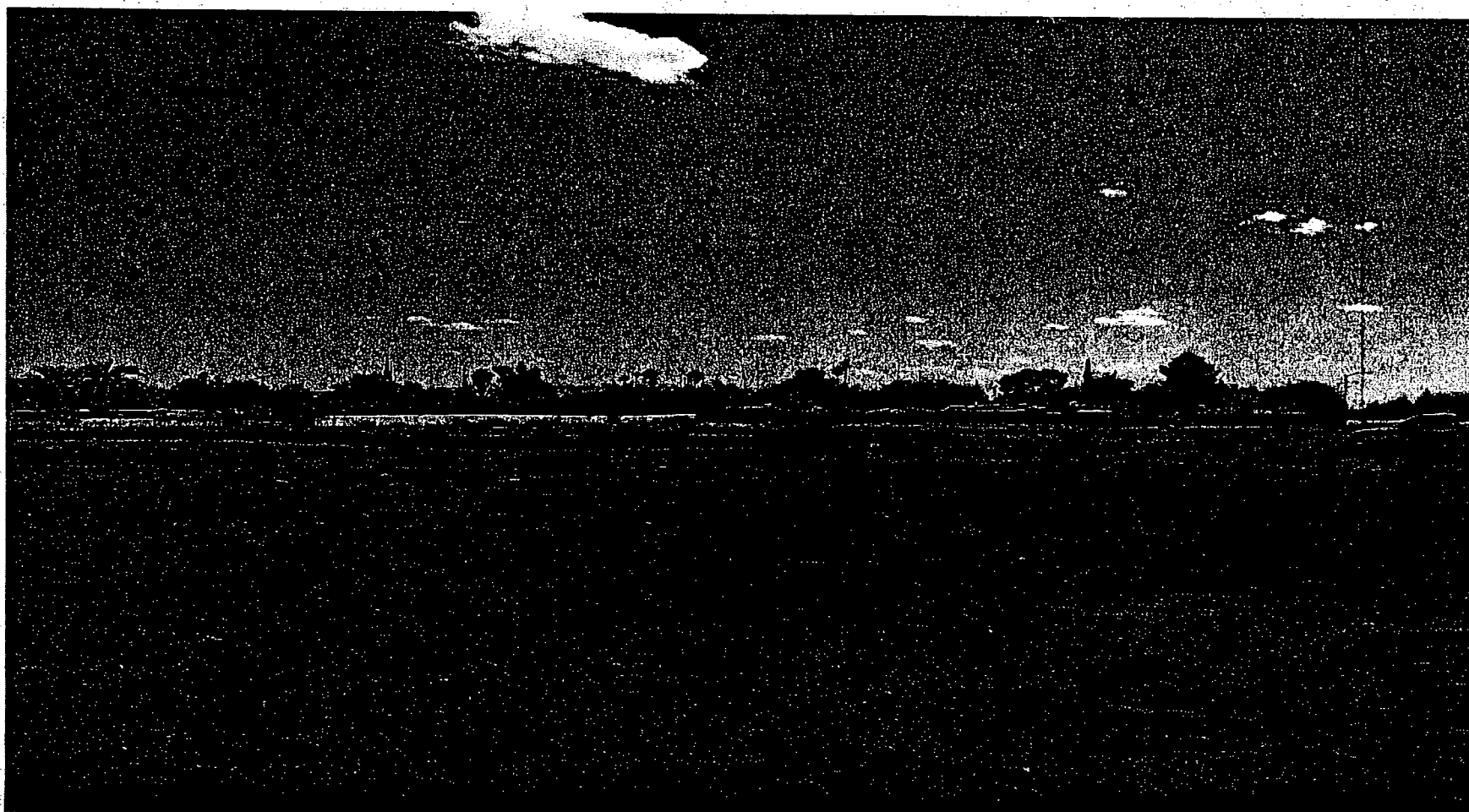


OVERLAYS
REVIEWED AND APPROVED FOR THE CITY OF LAS VEGAS
REVIEWED AND APPROVED FOR THE CITY OF LAS VEGAS
REVIEWED AND APPROVED FOR THE CITY OF LAS VEGAS

GENERAL NOTES
1. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE CITY OF LAS VEGAS ZONING ORDINANCES.
2. THE DEVELOPER SHALL OBTAIN ALL NECESSARY PERMITS FROM THE CITY OF LAS VEGAS.
3. THE DEVELOPER SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.



PRELIMINARY SITE PLAN TO ACCOMPANY GPA / REZONING/SDR CHARLESTON - LINDELL CITY OF LAS VEGAS, NEVADA		RICHMOND AMERICAN HOMES 2500 ALDEN DRIVE, SUITE 100 LAS VEGAS, NEVADA (702) 817-2400
RECEIVED OCT 8 2004 PLANNING DEPARTMENT CITY OF LAS VEGAS	PROJECT NO. 10-7-04 PC DATE 10-5-04	RS CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS 10250 WINDYBUSH DRIVE, SUITE 100, LAS VEGAS, NV 89135 (702) 251-1700, FAX (702) 251-1701



VAR-5124 - VARIANCE - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES -
OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-5120, ZON-5121 AND VAR-5124

SDR-5122 - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 40-LOT SINGLE-FAMILY RESIDENTIAL DEVELOPMENT on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road (APN 163-01-501-001 and 002), U (Undeveloped) Zone [GC (General Commercial) General Plan Designation] under Resolution of Intent to C-2 (General Commercial) Zone [PROPOSED: R-PD8 (Residential Planned Development - 8 Units per Acre)], Ward 1 (Moncrief). Staff recommends DENIAL. The Planning Commission recommends APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff 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 for Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] filed under Item 114 [GPA-5120]

MOTION:

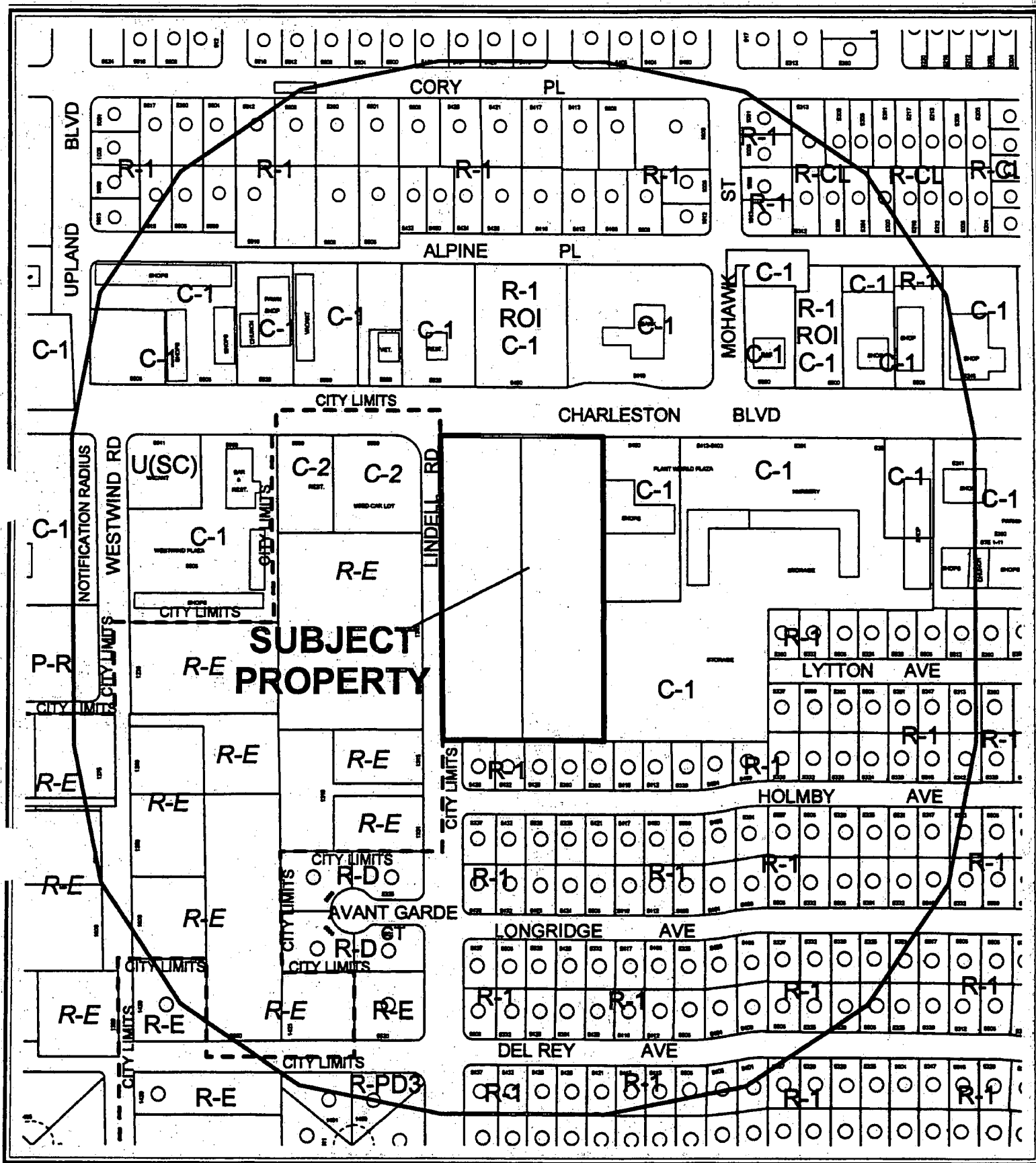
REESE - Motion to STRIKE Item 67 [5504 and 5516 Alpine Place], TABLE Item 87 [SUP-4830] and to HOLD IN ABEYANCE Item 88 [SUP-5228], Item 89 [SDR-5094], Item 114 [GPA-5120], Item 115 [ZON-5121], Item 116 [VAR-5124] and Item 117 [SDR-5122] to 12/15/2004 and Item 98 [SUP-5466] to 1/19/2005 - UNANIMOUS with BROWN, MACK and MONCRIEF excused

MINUTES:

There was no related discussion.

(1:39 - 1:41)

4-1



0 200 400 Feet



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - SDR-5122 - APPLICANT: RICHMOND AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE APPLICANT'S REQUEST.

**** CONDITIONS ****

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

Planning and Development

1. An application for a General Plan Amendment (GPA-5124), Rezoning (ZON-5087), and a Variance (VAR-5124) approved by the City Council.
2. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
3. All development shall be in conformance with the site plan and building elevations dated 10/05/04, except as amended by conditions herein.
4. The standards for this development shall include the following: minimum lot sizes of 2,775 square feet, minimum distances between buildings of seven feet, and building heights not exceeding two stories or 35 feet, whichever is less.
5. The setbacks for this development shall be a maximum of five feet to the front of the house/garage as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, 3.5 feet on the side, 3.5 feet on the corner side, and 10 feet in the rear. Homes on corner lots shall be situated with the side yard opposite the corner side yard at 3.5 feet.
6. All homes developed on lots adjacent to the existing residential area to the south of the site shall be single-story homes.
7. The site plan shall be revised or corrected and approved by the Planning and Development Department staff to reflect the deficiencies noted in these conditions prior to the time application is made for a Tentative Map.
8. A detailed landscape plan shall be provided and approved by Planning and Development Department staff, prior to the time application is made for a Tentative Map to reflect minimum 24-inch box trees planted a maximum of 30 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters. The design, location, height, and type of materials of all perimeter walls shall be shown. At a minimum, the perimeter walls shall be decorative block walls, 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.

9. Landscaping and a permanent underground sprinkler system shall be installed and permanently maintained in a satisfactory manner.
10. Air conditioning units shall not be mounted on rooftops.
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.
12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
13. All City Code requirements and design standards of all City departments must be satisfied.
14. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
15. Air conditioning units shall not be mounted on rooftops.

Public Works

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. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
18. Landscape and maintain all unimproved right-of-way on Lindell Road adjacent to this site.
19. Submit an Encroachment Agreement for all landscaping and private improvements located in the Lindell Road public right-of-way adjacent to this site prior to occupancy of this site.
20. 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).
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. We note that a deviation from Standards was requested for cul-de-sac bulbs in the justification letter and that offset sidewalk is proposed on Lindell Road.

22. Site development to comply with all applicable conditions of approval for ZON-5121 and all other subsequent site-related actions.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 40-lot single-family residential development on 5.00 acres adjacent to the southeast corner of Charleston Boulevard and Lindell Road.

B) Applicant's Justification

In a letter from the applicant submitted with the subject application, justification is presented in the following statements:

- The parcel in question is a true in-fill parcel that has not developed as commercial.
- As the population in the Las Vegas-area has increased, it has become necessary to address market conditions and expand into areas of land uses intended for lower-density housing, commercial areas and even some industrial properties.
- There is a need to develop affordable housing on in-fill parcels which allows less burdens on getting infrastructure to these properties but due to the nature of the infill property, we find it necessary to request minor deviations to the cities code requirements in order to develop the property making it a positive for the developer, the City of Las Vegas and the surrounding community.
- This product on this in-fill parcel will provide a good transition buffer from the existing residential community and the existing commercial development planned for this area and will be an enhancement to the community.

BACKGROUND INFORMATION

A) Actions

- 05/16/01 The City Council approved a request (GPA-0006-01) to amend the Southwest Sector Plan of the General Plan for this property from SC (Service Commercial) to GC (General Commercial). The Planning Commission recommended denial on 04/12/01.
- 05/16/01 The City Council approved a request for Rezoning (Z-0014-01) of the subject property from C-1 (Limited Commercial) to C-2 (General Commercial); a Special Use Permit (U-0040-01) for a minor auto repair garage with service bays that face a public right-of-way; a Special Use Permit (U-0041-01) for a boat and trailer dealership; a Special Use Permit (U-0042-01) for used motor vehicle sales; and a Site Development Plan Review [Z-0014-01(1)] for a proposed 11,400 square-foot building. The Planning Commission had no recommendation for these applications at its 04/12/01 meeting because it had recommended denial of an accompanying application for a General Plan Amendment (GPA-0006-01).

- 08/06/03 The City Council approved an Extension of Time (EOT-2448) on an approved Special Use Permit (U-0040-01) for a Minor Auto Repair Garage with service bays that face a public right-of-way. The Planning Commission recommended approval of the application on 07/10/03, and the staff recommended denial of the application on the same date.
- 12/03/03 The City Council approved an Extension of Time (EOT-3126) on an approved Special Use Permit (U-0041-01), which allowed a new and used boat and trailer dealership; an Extension of Time (EOT-3127) on an approved Special Use Permit (U-0042-01), which allowed used motor vehicle sales; an Extension of Time (EOT-3230) on a request for Rezoning (Z-0014-01) from U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] to C-2 (General Commercial); and a Site Development Plan Review [Z-0014-01(1)] which allowed an 11,400 square foot commercial building. The Planning Commission recommended approval on 11/06/03, and the staff recommended denial on the same date.
- 10/07/04 The Planning Commission recommended approval of the accompanying applications for a General Plan Amendment (GPA-5124) to reclassify the subject property from GC (General Commercial) to ML (Medium-Low Density Residential), for Rezoning (ZON-5121) the subject property from C-2 (General Commercial) to R-PD8 (Residential Planned Development - 8 Units Per Acre), and for a Variance (VAR-5124) to reduce the open space requirement.

B) Pre-Application Meeting

- 08/04/04 The staff met with the applicant to review a prospective development consisting of a 40-lot single-family residential subdivision. It was indicated that a General Plan Amendment, rezoning of the property to an R-PD8 (Residential Planned Development - 8 Units Per Acre) Zone, a Variance to the open space standards for the R-PD8 Zone, and a Site Development Plan would be required to permit the project.

C) Neighborhood Meetings

- 09/07/04 A neighborhood meeting was held with the surrounding property owners for the related General Plan Amendment. Fifteen people attended the meeting and had the following concerns:
- A density of eight units per acre is not compatible with existing residential development to the south. Residents believed five units per acre to be more appropriate.
 - More traffic would be generated on Lindell Road. Residents would like an island installed on Lindell Road in such a manner as to restrict left hand turns (south bound) turns onto Lindell Road.
 - Two story houses along the south property line would inhibit privacy of existing adjacent dwellings. The residents would prefer single story buildings.

- The width of lots is too narrow compared to the width of existing lots.
- Parking problems within the proposed subdivision could lead to parking problems within the existing neighborhood.

DETAILS OF APPLICATION REQUEST

A) *Site Area*

Acres: 5.0 Acres

B) *Existing Land Use*

Subject Property: Undeveloped
North: Undeveloped and Commercial
South: Single Family Residential
East: Commercial and Outdoor storage for plant nursery
West: Used car lot, Undeveloped and Single Family Residential

C) *Planned Land Use*

Subject Property: GC (General Commercial)
North: SC (Service Commercial)
South: L (Low Density Residential)
East: SC (Service Commercial)
West: Clark County

D) *Existing Zoning*

Subject Property: U (Undeveloped) under resolution of intent to C-2 (General Commercial)
North: R-1 (Single Family Residential) and C-1 (Limited Commercial)
South: R-1 (Single Family Residential)
East: C-1 (Limited Commercial)
West: Clark County [C-2 (General Commercial) and R-E (Rural Estates Residential)]

E) *General Plan Compliance*

The site is located in the Southwest Sector of the General Plan. On the Southwest Sector Map, the land use designation for the subject property is GC (General Commercial). An accompanying application proposes to amend the land use classification to ML (Medium-Low Density Residential). This application for Site Development Plan Review is not related to any specific General Plan policies.

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

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

PROJECT DESCRIPTION

The minimum lot size is 2,775 square feet and the minimum dwelling size is 1,419 square feet. All lots will have access to a 37 foot wide private street. Perimeter landscaping is provided with open space provided between the two cul-de-sacs.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

This Site Development Plan Review proposes the following Development Standards:

Standards	Provided
Min. Lot Size (square feet)	2,775
Min. Lot Width (feet)	37
Min. Setbacks (feet)	
• Front	5
• Side	3.5
• Corner	3.5
• Rear	10
Max. Building Height (feet)	25.3 feet

The minimum lot size proposed is 2,775 square feet. A corner side yard of 3.5 feet is extremely narrow. Homes on corner lots should be situated with the side yard opposite the corner side yard at 3.5 feet to allow as much corner side yard as possible. Other applicable development standards include the following:

A2) Landscape and Open Space Standards

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

Standard	Distance (lin. ft.)		Required		Trees Provided
			Ratio	Trees	
Buffer	Buffer	1,075	1 tree/30 lin. ft. + 1 tree	37	37

The development is provided with the required number of perimeter trees.

No perimeter walls are shown on the plan. The location, size and materials of all proposed walls should be indicated on the plan. These details are addressed in the Conditions of Approval for this application.

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

Total Acreage	Density (DU/A)	Required			Provided	
		Ratio	Percent	Area (s.f.)	Percent	Area (s.f.)
5 acres	8	1.65	13.2	28,750	8.8	19,201 sf

The amount of open space required for the subject development is deficient by 9,549 square feet. This deficiency is the purpose for an accompanying application for a Variance (VAR-5124).

B) General Analysis and Discussion

- Zoning

The proposed development of 40 single-family lots on 5.00 acres generates a density of development of 8.0 dwelling units per acre. The proposed project is not permitted within the current zone of C-2 (General Commercial). Therefore, the applicant has submitted an accompanying application to rezone the property to R-PD8 (Residential Planned Development – 8 Units per Acre) that would permit up to 8.49 dwelling units per acre and allow the project.

- Site Plan

Perimeter walls are proposed for the development; however, none are shown on the site plan. The location, height, design and type of materials for the perimeter walls need to be illustrated.

- Landscape Plan

The landscape plan shows the required number of trees for this development.

- Elevation

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences in the area.

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 north and south are developed for single-family use. However, some additional property to the north and adjacent property to the east and west are developed or designated for high intensity commercial uses. These commercial uses are not compatible to single-family residential use.

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 applicant is proposing to amend the General Plan to accommodate the proposed development by changing the land use classification to ML (Medium Low Density Residential). This classification permits single-family compact lots and zero lot line housing, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. The property is located in an area where high intensity commercial uses exist or are proposed. The frontage along Charleston Boulevard is designated for general commercial uses due to the high traffic volume. Intermixing single-family residential development with high intensity commercial uses is not a compatible combination of land uses. For this reason, it is recommended that this application and all other accompanying applications be denied.

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

The site abuts Charleston Boulevard, a Primary Arterial (100-foot wide) street, and Lindell Road, a Secondary Collector (80-foot wide) street, according to the Master Plan of Streets and Highways. The subdivision would have access to Lindell Road, approximately 400 feet south of Charleston Boulevard. The streets are adequate to handle the traffic from this development.

In a neighborhood meeting sponsored for an accompanying application for a General Plan Amendment (GPA-5120), neighbors expressed a concern that vehicles from this development may park in their area. While the internal streets of the development may be impacted, there should not be an impact on other streets outside the development, as the development is self-contained with only one principal means of access off Lindell Road.

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

The residences are similar in size and appearance to abutting single-family homes to the south, and are, therefore, appropriate for the area. The landscaping proposed will enhance the appearance of the development.

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

Seven home models are proposed with three variations of each. The homes range in size from 1,419 square feet, including garage, to 2,661 square feet. All would be two stories in height. Overall, the homes have an aesthetic appearance that will be harmonious and compatible with other residences in the area.

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

Because the site will be subject to ongoing inspection, the public health, safety, and welfare will not be compromised.

PLANNING COMMISSION ACTION

At the Planning Commission hearing there were several speakers in opposition to the subject project. Condition #6 was added by the Planning Commission.

NOTICES MAILED 202 by Planning Department

APPROVALS 0

PROTESTS 4



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-5122 APN: 163-01-501-001,002

Name of Property Owner: Ronald & Carolyn Michie

Name of Applicant: Richmond American

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

Yes

☒ Yes ☐ No

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

City Official: _____

Partner(s): _____

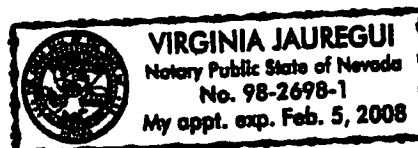
APN: _____

Signature of Property Owner/Authorized Agent:

Print Name: ~~CARLOS~~ MICHEL

Subscribed and sworn before me

This 24 day of August, 2004
Virginia Jaurague
 Notary Public in and for said County and State



CHARLESTON - LINDELL

CHARLESTON BLVD.

APN: 163-01-103-025
ZONE: C-1

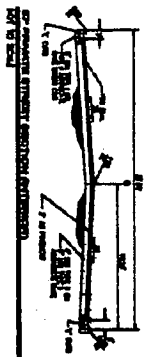
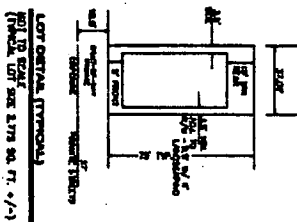
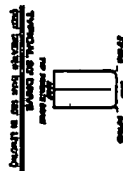
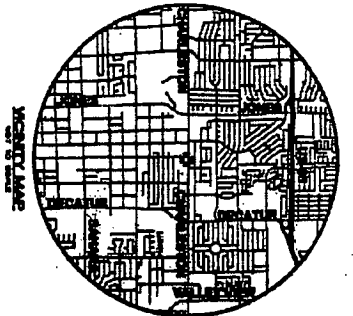
APN: 163-01-103-025
ZONE: C-1

LINDELL ROAD

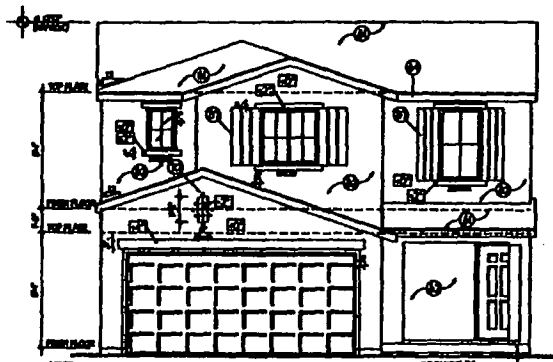
EXISTING - CHARLESTON HILLS
SPRINKLER: R-1

ZON-5121
VAR-5124
SDR-5122

10-7-04 PC
REVISED 10-5-04



PRELIMINARY SITE PLAN TO ACCOMPANY GPA / REZONING/SDR CHARLESTON - LINDELL CITY OF LAS VEGAS, NEVADA		DEVELOPER RICHMONO AMERICAN HOMES 2040 PIEDMONT AVE., SUITE 100 SPRINGFIELD, ARIZONA 85901 (520) 874-8800 DATE: 10-7-04
DESIGNED BY RS CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS 1000 Spring Avenue, Las Vegas, NV 89102 OFFICE: 702.384.7700 FAX: 702.384.7701	DATE OCT 7 2004 BY RS CONSULTING, INC.	APPROVED BY APN: 163-01-103-025 ZONE: C-1

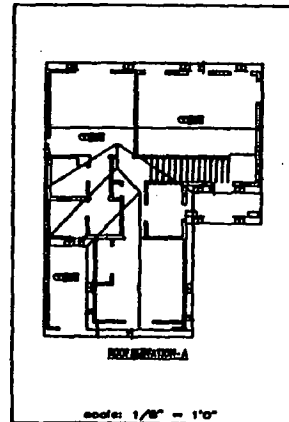


NOTE: WINDOW HEADERS SHALL BE 4"X6" (UNLESS NOTED OTHERWISE)

FRONT ELEVATION - A

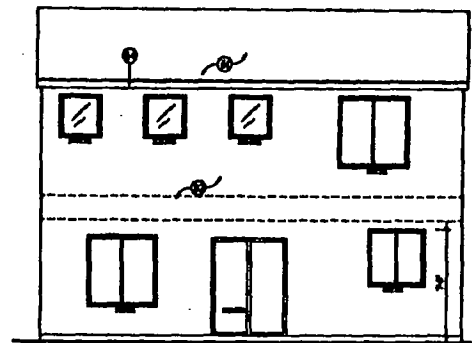
PROVIDE 2"X4" OVERLAP WITH A DECORATIVE FINISH.

THE FINISH COVERS SHALL BE PROTECTED FOR THE DURATION OF THE PROJECT TO ALL PLANNED LAYOUTS FROM THE STREET FRONT. THE FINISH COVERS SHALL BE ILLUMINATED.

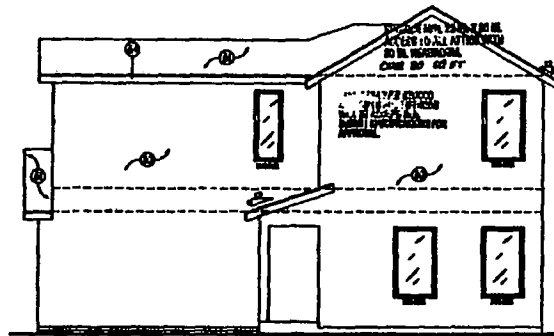


REAR ELEVATION

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



LEFT ELEVATION - A



RIGHT ELEVATION - A

APPROVED
S. B. Smith
ARCHITECT
CITY OF LAS VEGAS



PLANS APPROVED
CONSTRUCTION
APPROVED

DOO JUN 23 2004

RECEIVED
JUN 23 2004



KEYNOTES

1. FOAM APPLICATIONS SHALL COMPLY PER IRC
2. WINDOW HEADERS SHALL BE 4"X6" (UNLESS NOTED OTHERWISE)
3. SEE COVER SHEET FOR ATIC VENTILATION CALCULATIONS
4. PLATE HEIGHT = 8" (1/4" IN) / 8" (1/4" IN)
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VENT SCHED.

1. ROOF VENTILATION SHALL COMPLY PER IRC	2. SEE COVER SHEET FOR INFORMATION ON REQUIRED ATIC VENTILATION
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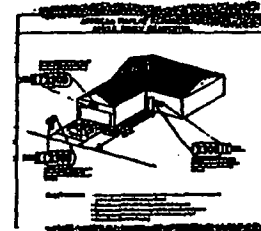
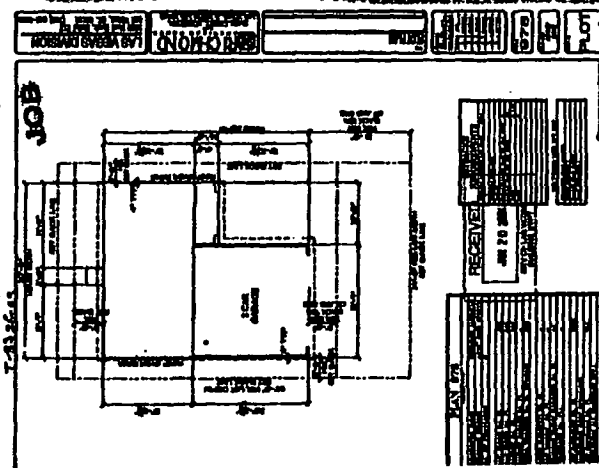
LAS VEGAS DIVISION
7500 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-5600

RICHMOND
ARCHITECTS
CLARK COUNTY, NEVADA
LAS VEGAS, NEVADA

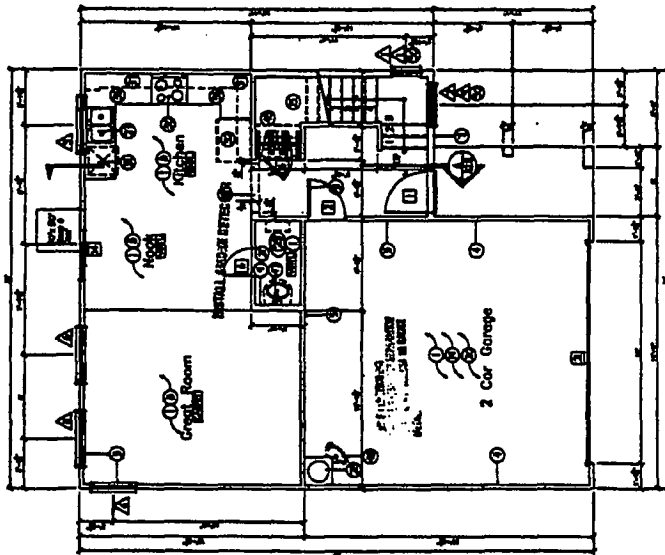
PARTIAL FLOOR PLAN, ROOF FRAMING, FRONT, REAR, & SIDE ELEVATION "A"

978

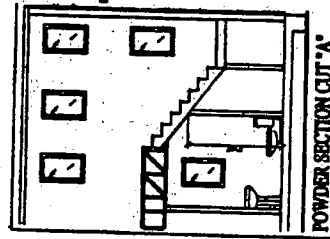
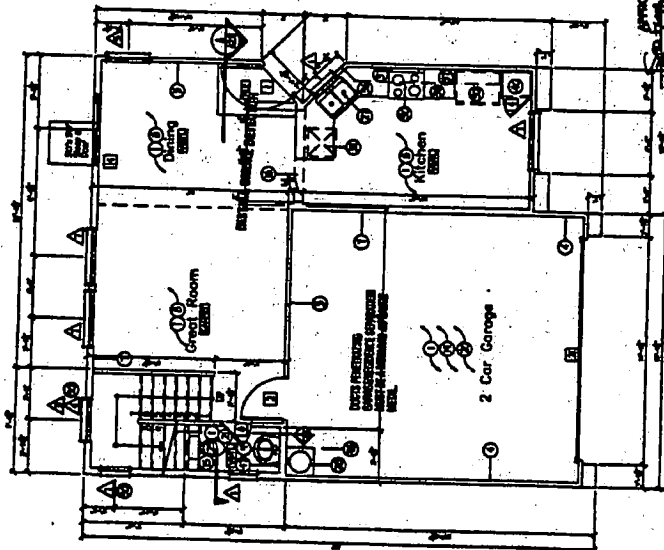
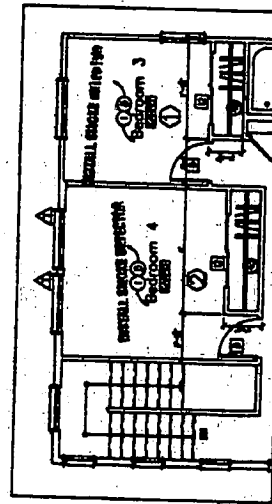
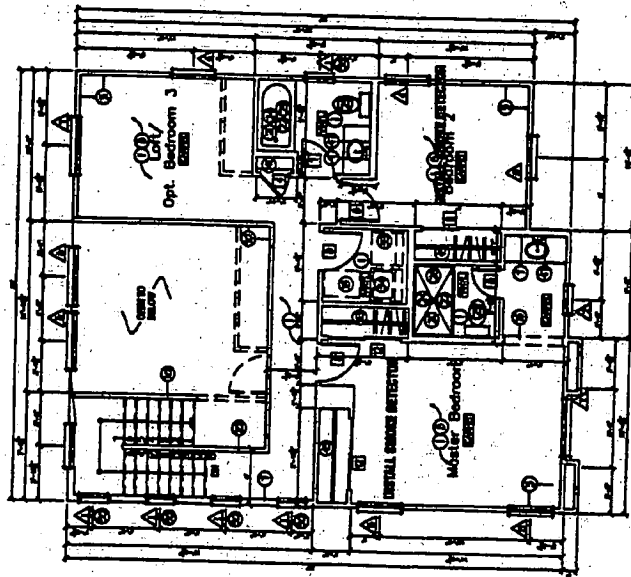
ZON-5121
VAR-5124
SDR-5122
10-07-04 PC



DETAIL: ROOF VENTILATION. SEE COVER SHEET FOR INFORMATION ON REQUIRED ATIC VENTILATION.

[illegible]

[illegible][illegible]



POWDER SECTION CUT "A"
ZON-5121
VAR-5124
SDR-5122

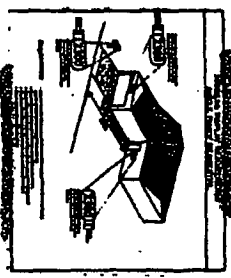
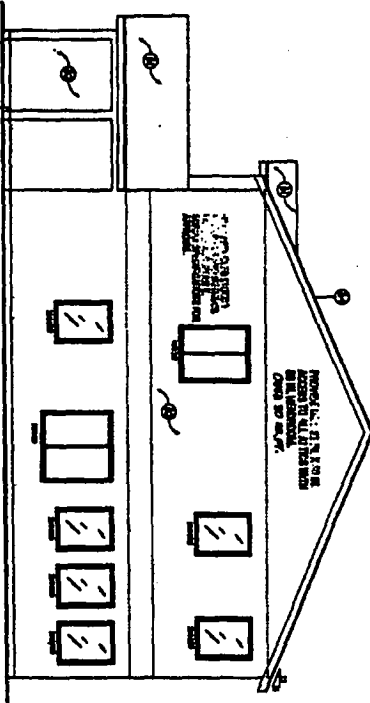
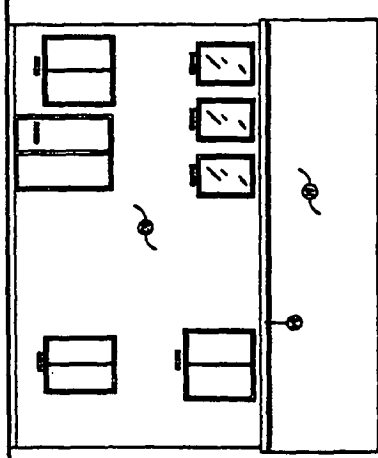
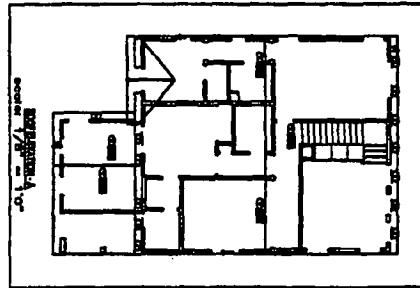
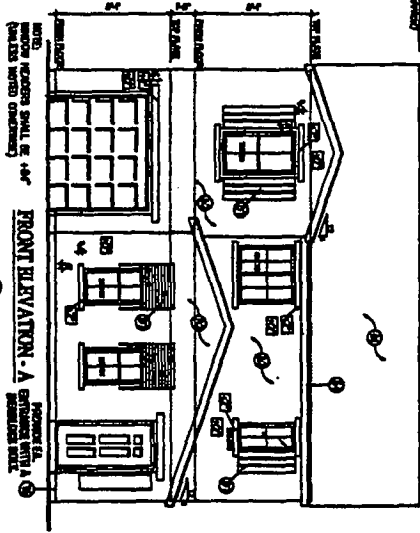
10-07-N1 DC

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JUN 18 1964
CITY OF LOS ANGELES

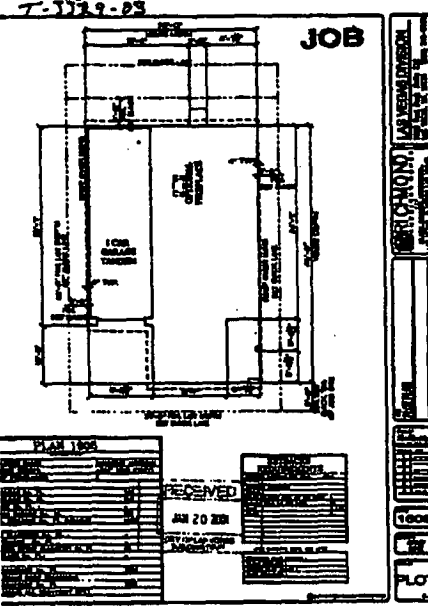
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ZON-5121
VAR-5124
SDR-5122
10-07-04 PC



NOTES: 1. ALL DIMENSIONS ARE IN FEET AND INCHES. 2. ALL MATERIALS ARE TO BE OF THE BEST QUALITY. 3. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE BUILDING CODES. 4. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE MECHANICAL AND ELECTRICAL CODES. 5. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE PLUMBING AND HEATING CODES. 6. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE FIRE PROTECTION CODES. 7. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SAFETY CODES. 8. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENVIRONMENTAL CODES. 9. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCESSIBILITY CODES. 10. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ENERGY CODES. 11. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SUSTAINABILITY CODES. 12. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE GREEN BUILDING CODES. 13. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE LEED CODES. 14. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE WELL-BEING CODES. 15. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE SOCIAL RESPONSIBILITY CODES. 16. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ETHICS CODES. 17. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTEGRITY CODES. 18. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TRANSPARENCY CODES. 19. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCOUNTABILITY CODES. 20. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE RESPONSIBILITY CODES. 21. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ETHICS CODES. 22. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE INTEGRITY CODES. 23. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE TRANSPARENCY CODES. 24. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE ACCOUNTABILITY CODES. 25. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE RESPONSIBILITY CODES.

JOB



APPROVED
CLARK COUNTY ENGINEER
CITY OF LAS VEGAS

VENT SCHED.

1. ROOF VENTILATION SHALL COMPLY PER
2. SEE CONSTRUCTION SHEET FOR INFORMATION
ON EXTERIOR AIR VENTILATION

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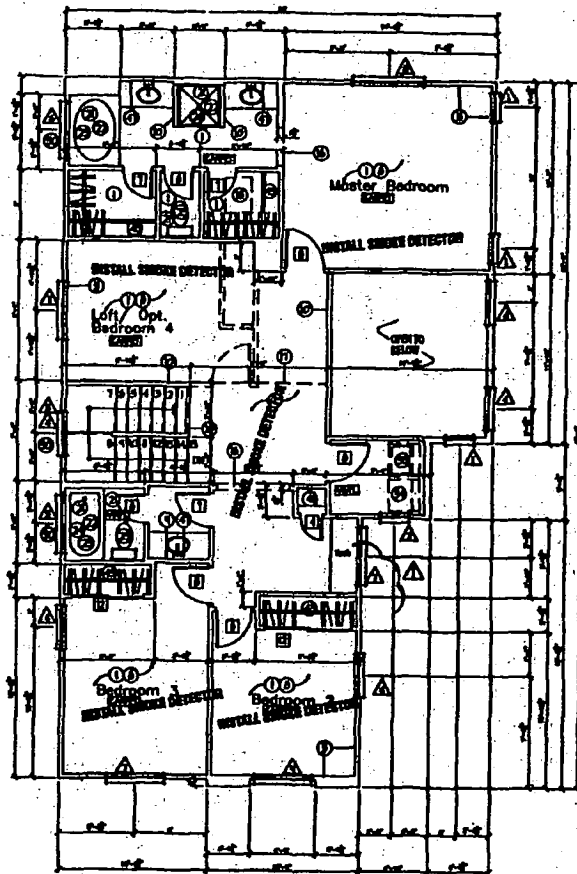
PARTIAL FLOOR PLAN, ROOF FRAMING, FRONT, REAR, & SIDE OF ELEVATION 'A'

RICHMOND
AMERICAN HOMES
CLARK COUNTY, HENDERSON
LAS VEGAS & NORTH LAS VEGAS

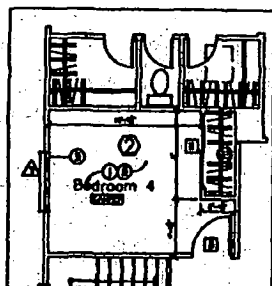
LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV 89128 (702) 240-6600

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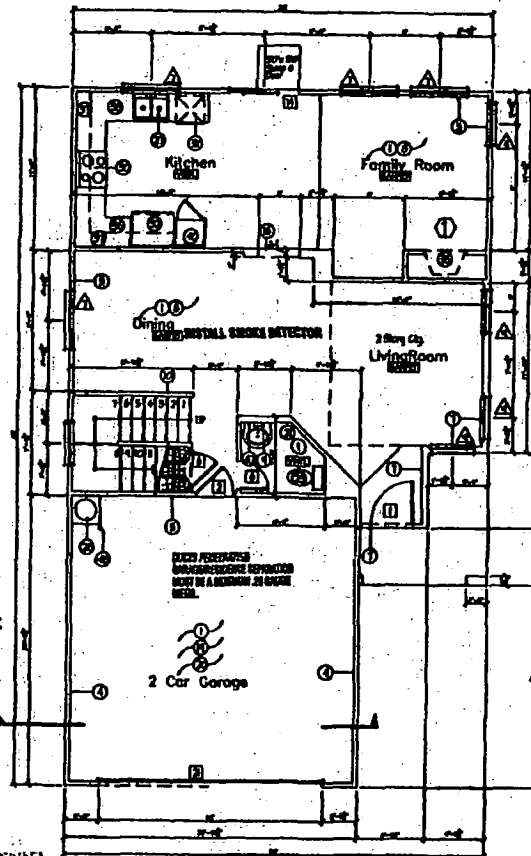
ZON-5121
VAR-5124
SDR-5122
10-07-04 PC



FLOOR PLAN (2ND FLOOR)



OPT. BEDROOM 4



FLOOR PLAN (1ST FLOOR - "A" ELEV.)

[illegible]

STAIN-RESISTANT - Cleansing between the groups and between the teeth with water and toothbrush after each meal. This is necessary, with or without the use of mouthwash, to prevent the bacteria that cause tooth decay from multiplying.

UNIT 1 Emergency escape and rescue required. Students will identify signs and every classroom must have at least two separate emergency exits and means of escape. When classrooms contain one or more sleeping areas, emergency signs and means of escape should be posted in room clearly, but shall not be required in sleeping areas of the classroom. When emergency signs and means of escape are provided they shall have a minimum height of sixteen (16) inches and be the following:

Section 12001.5.5 Students sleeping area. All emergency signs and means of escape shall have a minimum of eleven

[illegible]

REF ID: A62401

Police said they were looking for a person who was seen in the area of the shooting. The person was described as a male, about 5 feet 10 inches tall, with dark hair and a mustache. He was wearing a dark jacket and light-colored pants. The person was seen running away from the scene of the shooting. The police are looking for anyone who saw the person or has information about the shooting.

1. The applicant must be a citizen of the United States or a permanent resident of the United States.
 2. The applicant must be at least 18 years of age at the time of application.
 3. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force.
 4. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months.
 5. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge.
 6. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge and must not have been convicted of a crime.
 7. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge and must not have been convicted of a crime and must not be currently serving a sentence in a prison or jail.
 8. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge and must not have been convicted of a crime and must not be currently serving a sentence in a prison or jail and must not be currently serving a sentence in a prison or jail for a crime.
 9. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge and must not have been convicted of a crime and must not be currently serving a sentence in a prison or jail and must not be currently serving a sentence in a prison or jail for a crime and must not be currently serving a sentence in a prison or jail for a crime.
 10. The applicant must be a member of the United States Armed Forces, United States Coast Guard, United States Marine Corps, United States Navy, United States Air Force, or United States Space Force for at least 12 months and must have been discharged from service with an honorable discharge and must not have been convicted of a crime and must not be currently serving a sentence in a prison or jail and must not be currently serving a sentence in a prison or jail for a crime and must not be currently serving a sentence in a prison or jail for a crime and must not be currently serving a sentence in a prison or jail for a crime.

The findings appearing that the president was not alone in the Oval Office.

RECEIVED
JUN 18 2007
CITY OF LOS ANGELES

APPROVED
S. P. [Signature]
W. D. [Signature]
CURRENT PLANNING DIVISION
CITY OF LAS VEGAS

RICHMOND
AMERICAN POWER
STONE CONCRETE LEADING CONTRACTOR

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 08-14-2010 BY 60322
UCBAW/STP

[illegible]

LAS VEGAS DIVISION
7250 West Peak, Suite 212
LAS VEGAS, NV. 89129 (702) 240-5600

RICHMOND
AMERICAN HOMES
BLANK COUNTRY HENRISSON
LAS VEGAS & NORTH LAS VEGAS

FLOOR PLAN OF
1ST & 2ND FLOOR

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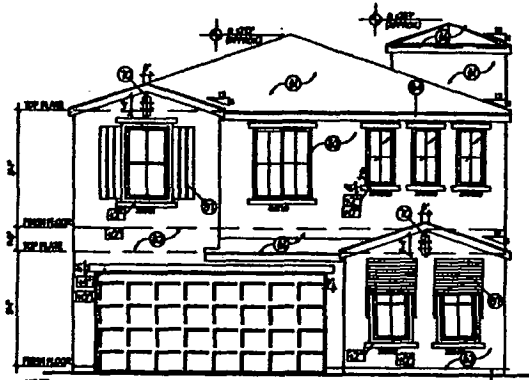
1954

301841

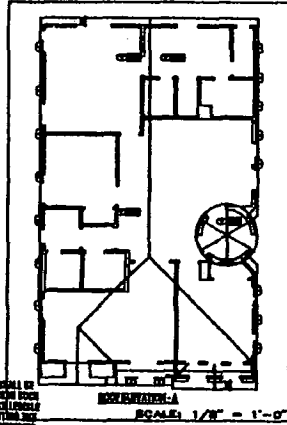
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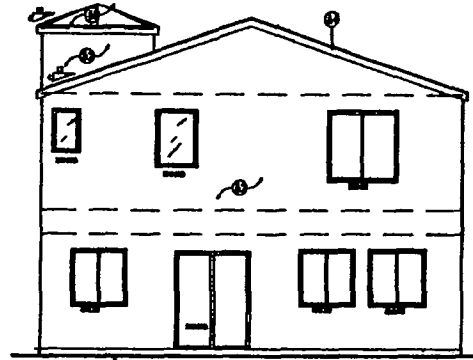


FRONT ELEVATION - A

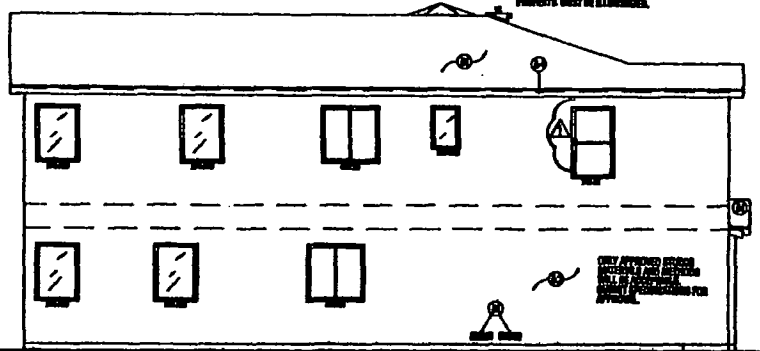


References

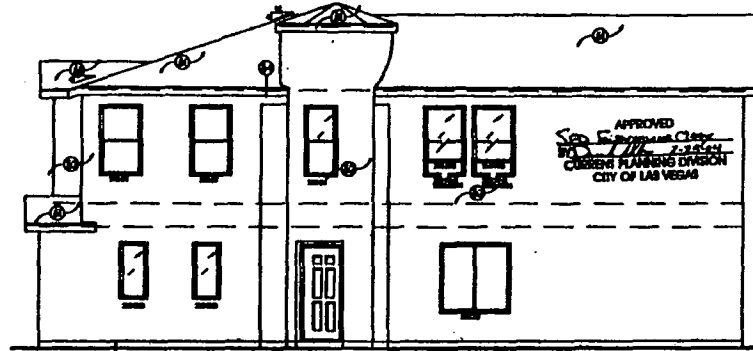
SCALE: 1/8" = 1'-0"



REAR ELEVATION



LEFT ELEVATION - A



RIGHT ELEVATION - A

**PROVIDE AN
INTRODUCTION WITH A
BLACKBOARD BOARD.**

[illegible][illegible]

Category	Score	Mean	SD
Personality	100	95	5
AC Score	10	10	0
ACG	4.1	4.1	0

Subject	Assigned Location Number	Year	Section	Location	Number
Physics	PHYS 101	1951-1952	1	PHYS 101	101
Chemistry	CHEM 101	1951-1952	1	CHEM 101	101
Mathematics	MATH 101	1951-1952	1	MATH 101	101
English	ENGL 101	1951-1952	1	ENGL 101	101
History	HIST 101	1951-1952	1	HIST 101	101
Geography	GEOG 101	1951-1952	1	GEOG 101	101
Political Science	POLS 101	1951-1952	1	POLS 101	101
Social Science	SOCS 101	1951-1952	1	SOCS 101	101
Art	ART 101	1951-1952	1	ART 101	101
Music	MUSC 101	1951-1952	1	MUSC 101	101
Physical Education	PEDE 101	1951-1952	1	PEDE 101	101
Health	HEAL 101	1951-1952	1	HEAL 101	101
Religion	RELI 101	1951-1952	1	RELI 101	101
Philosophy	PHIL 101	1951-1952	1	PHIL 101	101
Law	LAW 101	1951-1952	1	LAW 101	101
Medicine	MEDI 101	1951-1952	1	MEDI 101	101
Engineering	ENGR 101	1951-1952	1	ENGR 101	101
Architecture	ARCH 101	1951-1952	1	ARCH 101	101
Business	BUSI 101	1951-1952	1	BUSI 101	101
Education	EDUC 101	1951-1952	1	EDUC 101	101
Library Science	LIBS 101	1951-1952	1	LIBS 101	101
Journalism	JOUR 101	1951-1952	1	JOUR 101	101
Public Relations	PUBL 101	1951-1952	1	PUBL 101	101
Advertising	ADVT 101	1951-1952	1	ADVT 101	101
Marketing	MARX 101	1951-1952	1	MARX 101	101
International Business	INTB 101	1951-1952	1	INTB 101	101
Accounting	ACCT 101	1951-1952	1	ACCT 101	101
Finance	FINA 101	1951-1952	1	FINA 101	101
Insurance	INSU 101	1951-1952	1	INSU 101	101
Real Estate	REAL 101	1951-1952	1	REAL 101	101
Law of Real Estate	LEAL 101	1951-1952	1	LEAL 101	101
Surveying	SVRY 101	1951-1952	1	SVRY 101	101
Engineering Drawing	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Mathematics	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Mechanics	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Materials	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Structures	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Design	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Management	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Economics	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Law	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Ethics	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Safety	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Quality	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Innovation	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Creativity	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Problem Solving	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Teamwork	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Communication	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Leadership	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Project Management	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Risk Management	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Change Management	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Continuous Improvement	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Sustainability	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Globalization	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Digitalization	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Automation	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Robotics	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Nanotechnology	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Biotechnology	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Space Technology	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Ocean Technology	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Atmospheric Technology	ENGR 101	1951-1952	1	ENGR 101	101
Engineering Earth Technology	ENGR 101	1951-1952	1	ENGR 101	101

[illegible]

0	KEYNOTES
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1. FOAM APPLICATIONS SHALL COMPLY PER IRC
2. WINDOW HEADERS SHALL BE 4'-6"
(UNLESS NOTED OTHERWISE)
3. SEE COVER SHEET FOR ATDC VENTILATION
CALCULATIONS
4. PLATE HEIGHT = $\frac{S1T1b1b}{S1T1b2b} + \frac{S1T1b2b}{S1T1b2b}$
(a) PLATE HEIGHT = 4' FOR ALL BUT ONE LAMP
(b) IF ONE LAMP IS USED, PLATE HEIGHT SHALL BE 4' FOR THE
LAMP AND 6' FOR THE REMAINING PLATE. PLATE HEIGHT SHALL BE
4' FOR THE LAMP.
(c) WINDOW GRILLS & APPLICATION SHALL COMPLY PER THE
SPECIFICATIONS.
(d) SEE COVER SHEET FOR MORE INFORMATION.

- FOUR CORRECTION REPORTS FROM NEW YORK
OFFICES BY JAC (6-4-68) IN DISCUSSION

- ⑤ FURNITURE & FIX - 19500
⑥ -
⑦
⑧ ACCUMULATIVE CHARGE WORTHY AND GOOD / ACCUMULATIVE
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RENTALSHIP WITH SCHOLARSHIP, ADULT, ADULT, ADULT, ADULT
77 3-20 RESEARCH
78 FREE RESEARCH (SEE FOR RESEARCH SAMPLE @ 1975)
79 1975 OF THE U.S. - 1975, 1975, 1975, 1975, 1975
80 1975 OF THE U.S. - 1975, 1975, 1975, 1975, 1975

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|---|---|
| ⑦ | FORWARDED UNDER 5 U.S.C. - 552 |
| ⑧ | FORWARDED FOR COMPTON'S INFORMATION |
| ⑨ | 17 APR 1968 |
| ⑩ | 1-17 APR 1968 TRANSMISSION AND INFO - LOCAL |
| ⑪ | 17 APR 1968 |

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|---|--|
| ⑤ | 1. Name of the person or organization |
| ⑥ | 2. Address of the person or organization |
| ⑦ | 3. City, State, and Zip |
| ⑧ | 4. Country |
| ⑨ | 5. Telephone number |
| ⑩ | 6. Fax number |
| ⑪ | 7. E-mail address |
| ⑫ | 8. Other information |

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1. ROOF VENTILATION SHALL COMPLY PER IRC
- SEE COVER SHEET FOR INFORMATION ON REQUIRED ATTIC VENTILATION

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| (E) | (V) | (H) | (X) |
| (S) | (Z) | | |

LAS VEGAS DIVISION



RICHMOND
AMERICAN HOMES

NAME, FRONT, REAR, & SIDE

PARTIAL FLOOR PLAN, ROOF FRA

E.C.

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67 64



SDR-5122 - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT: RICHMOND
AMERICAN HOMES - OWNER: RONALD MICH'L AND CAROLYN MICH'L, ET AL
SOUTHEAST CORNER OF CHARLESTON BOULEVARD AND LINDELL ROAD
OCTOBER 7, 2004 PLANNING COMMISSION

09/17/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

GENERAL PLAN AMENDMENT

GPA-5157 - ABEYANCE ITEM - PUBLIC HEARING - OWNER/APPLICANT: CITY OF LAS VEGAS - Request to amend the Master Plan Recreation and Transportation Trail Elements TO RE-DESIGNATE PORTIONS OF PROPOSED ALIGNMENTS IN DEVELOPED AREAS AS PEDESTRIAN PATHS, Ward 1, 3, 4, 5 and 6 (Moncrief, Reese, Brown, Weekly and Mack); AND TO REVISE CROSS SECTIONS, All Wards. The Planning Commission (6-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-1 vote) and staff recommend APPROVAL.

BACKUP DOCUMENTATION:

1. Location Map - Not Applicable
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Submitted after City Council meeting - Exhibit 1 - Equestrian Trail by Tom Perrigo

MOTION:

MACK - APPROVED with Amended Exhibit 1 - UNANIMOUS

MINUTES:

MAYOR GOODMAN declared the Public Hearing open.

TOM PERRIGO, Planning and Development Department, explained this item was held in abeyance in order to ensure that the cross sections were in compliance with the Regional Transportation Commission's (RTC) alternate mode of transportation standards. He and BART ANDERSON, Public Works Department, have had conversation with the RTC and found that the cross sections comply with their standards. He showed a schematic design depicting the sidewalk next to the street with the landscape inside the sidewalk. A question was raised if the sidewalk and landscape could be reversed, and after meeting with Field Operations, Public Works Department, Planning and COUNCILMEN BROWN and MACK, it was determined that the standard could be changed to put the landscape between the sidewalk and the street.

COUNCILMAN MACK thanked staff's effort in making this plan consistent with the RTC'S plan, to include the upkeep issues and how the utility encroachment will have an effect on these corridors. He indicated that he and COUNCILMAN BROWN suggested putting the landscape strip between the street and the sidewalk, which is also consistent with the RTC'S plan, as well as providing a safety barrier.

MAYOR GOODMAN declared the Public Hearing closed.

(3:53 - 4:03)

CITY COUNCIL MEETING OF: DECEMBER 1, 2004

MINUTES - Continued:

5-1540

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE ITEM - GPA-5157 – OWNER/APPLICANT: CITY OF LAS VEGAS

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 17, 2004 CITY COUNCIL MEETING AT THE REQUEST OF THE COUNCIL.

**** CONDITIONS ****

The Planning Commission (6-1 vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

APPLICATION REQUEST

This application seeks to revise certain trail cross sections to clarify maintenance and ownership issues, designate sections of trail alignments in developed areas as "Pedestrian Paths," and add "Pedestrian Path" alignments to coordinate with the Regional Transportation System's Multi-modal plan.

BACKGROUND DATA:

- 01/16/02 The City Council adopted the Master Plan Recreation and Transportation Trails Elements.
- 10/21/04 The Planning Commission voted 6-1 to recommend APPROVAL (PC Agenda Item #28/sr).

ANALYSIS

The intent of this application is to revise current trail requirements to facilitate implementation, confirm maintenance responsibilities, and coordinate with the Regional Transportation Commission's multi-modal plan.

Certain segments of the trail alignments are proposed for rights-of-way in areas that are already developed. In these areas, predominantly along Rancho Drive and Oakey Boulevard, enough right-of-way to accommodate the existing cross section requirements is not likely to become available in the near future. The proposed "Pedestrian Path" cross section requires less width due to a reduction in amenity but will provide an unobstructed path. Re-designating necessary segments of the alignment this way will greatly improve the ability to implement the Trail Plans and enhance connectivity.

In addition to those segments being re-designated, it is proposed that new Pedestrian Path segments be placed on the Transportation Trails Plan to coordinate with the Regional Transportation Commission's multi-modal plan. Specifically, these segments will be along Cheyenne Avenue from Buffalo Drive to the 215 Beltway, and a small section to connect the Town Center loop trail to other trail alignments.

Recent changes to the Nevada Revised Statutes include a revision to chapter 278.4787 which now requires the city to assume ownership and maintenance of any trail alignment required in a Recreation Plan. This in effect places responsibility for all equestrian trail paths with the city. Because each cross section is stratified with areas of landscaping, pedestrian paths, and equestrian

paths, it is necessary to specifically state which portions of the trail are equestrian paths and which are amenity areas to be maintained by adjacent Homeowner's Associations. These revised cross sections also minimize landscape areas within the right-of-way to reduce the maintenance burden that would be placed on the city for that upkeep as well. In no case is the actual usable area of the trail reduced for either pedestrians or equestrians.

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 that include approved neighborhood plans.

In regard to each of these conditions, this request does not impact density or intensity of uses. It is intended to more effectively implement both the Master Plan Recreation and Transportation Trails Elements, and ensure that facilities are properly maintained. In areas where Pedestrian Path alignments are added, there will be no impact on existing development and only minor requirements for future development.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

09-30-04 A neighborhood meeting sponsored by the city of Las Vegas was held at the Lone Mountain Senior Center. There was no one from the public in attendance.

NOTICES MAILED: NEWSPAPER ONLY BY PLANNING DEPARTMENT

APPROVALS: 0

PROTESTS: 0



PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-5157 APN: City Wide
Name of Property Owner: _____
Name of Applicant: City of Las Vegas

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: _____

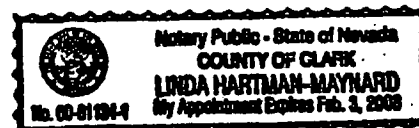
Signature of Property Owner/Authorized Agent: _____

Print Name: Sean P. Robertson

Subscribed and sworn before me

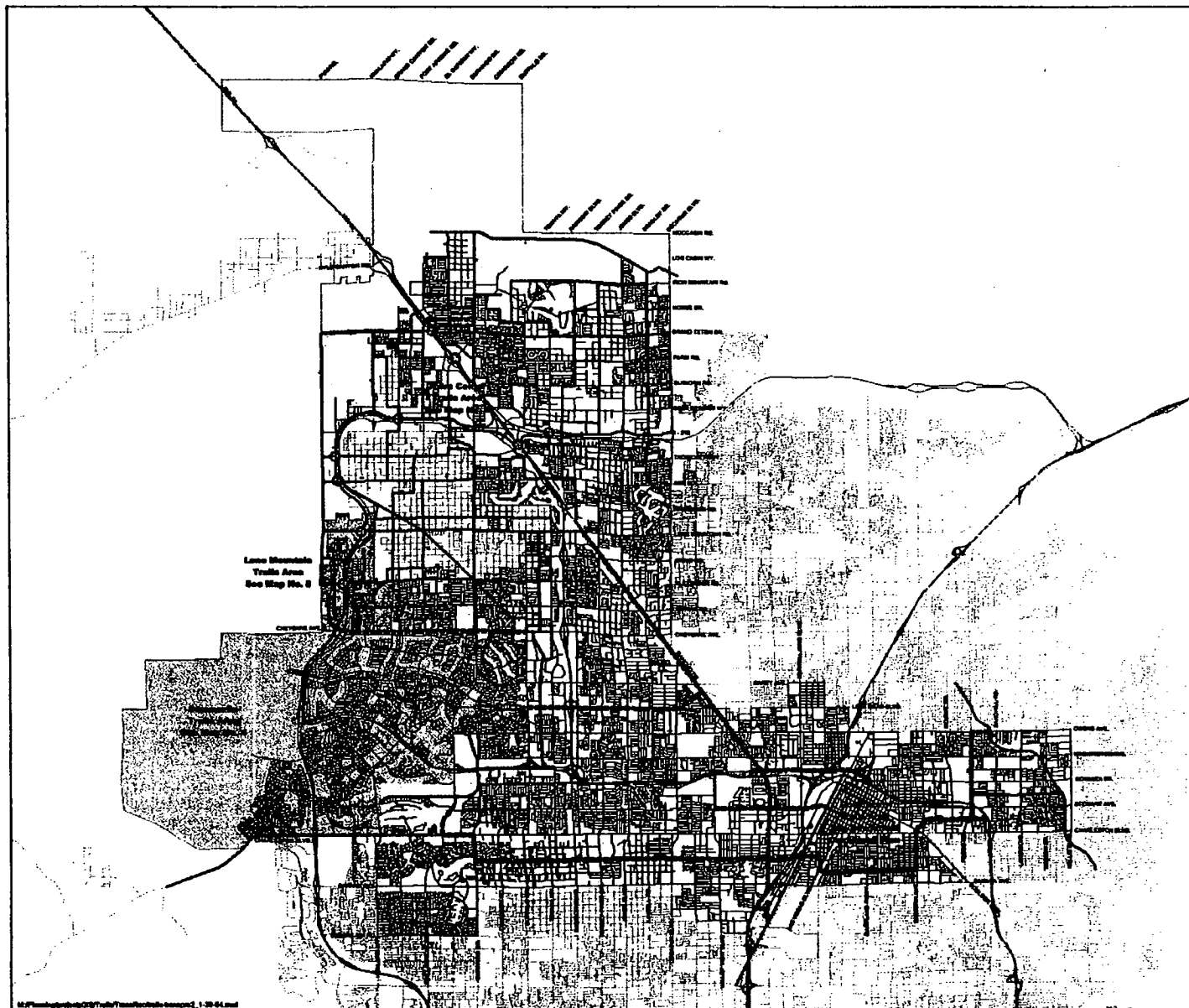
This 2ND day of SEPTEMBER, 2004

Linda Hartman-Maynard
Notary Public in and for said County and State



TRAILS

Existing and
Proposed Areas



City of Las Vegas

OFF-STREET MULTI-USE TRANSPORTATION TRAIL ALIGNMENTS

**Map No. 2
Proposed**

- Portion Proposed for Pedestrian Path Designation
- Trail Crossings
- Multi-use Trails
- Freeway
- Street Centerline
- Railroad
- Corporate Limits
- Lone Mountain
- Summerlin
- Town Center



Revised: May 21, 2003 GPA-1983
Adopted: January 16, 2003 Ordinance No. 5417

0 0.5 1 2 3 Miles



All map information provided
for informational purposes only.
Organic Information System
Planning & Development
Department



Printed September 7, 2004

**GPA-5157
10/21/04 PC**

Proposed

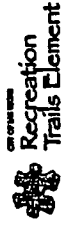
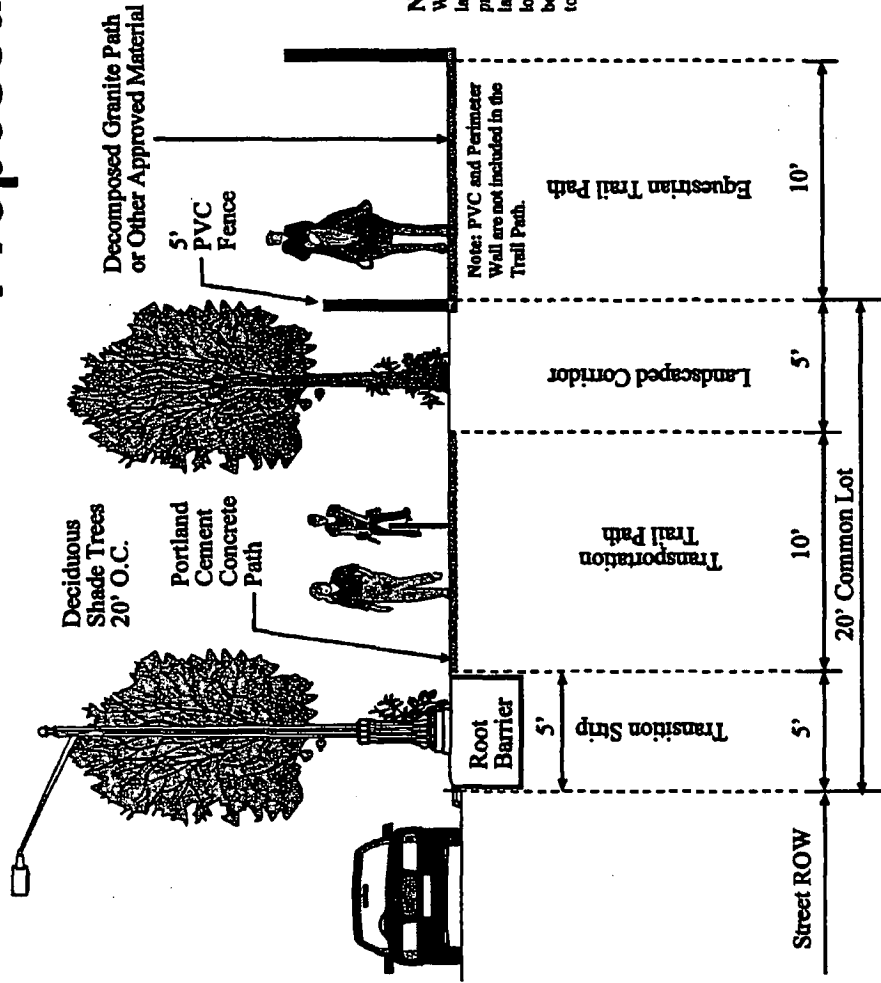
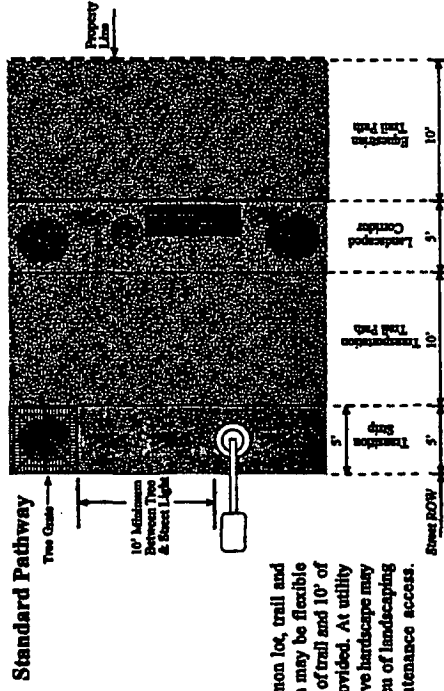


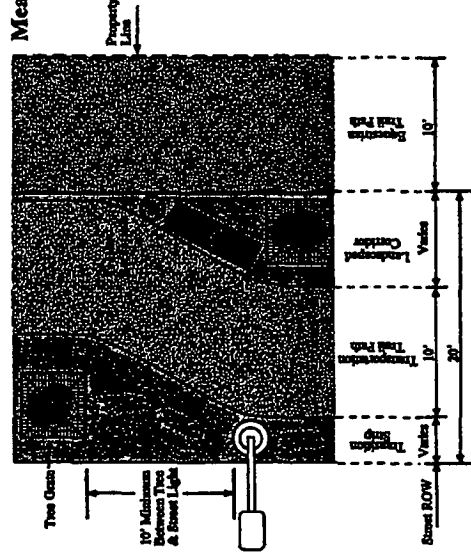
Exhibit 3

Multi-Use Equestrian Trail



Note:
Within 20' common lot, trail and landscape design may be flexible provided that 10' of trail and 10' of landscape are provided. At utility locations decorative landscape may be installed in lieu of landscaping to provide maintenance access.

Meandering Pathway



10/21/04 PC

GPA-5157

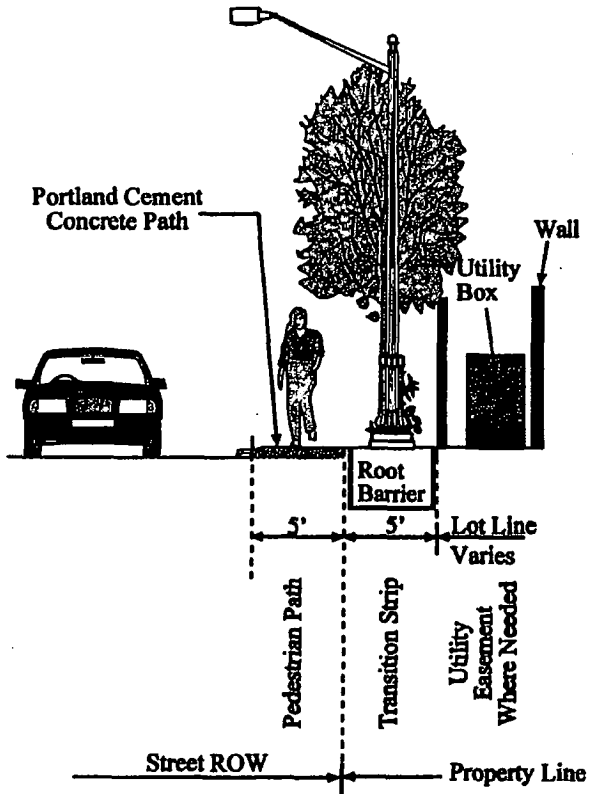
10/21/04 PC

Proposed



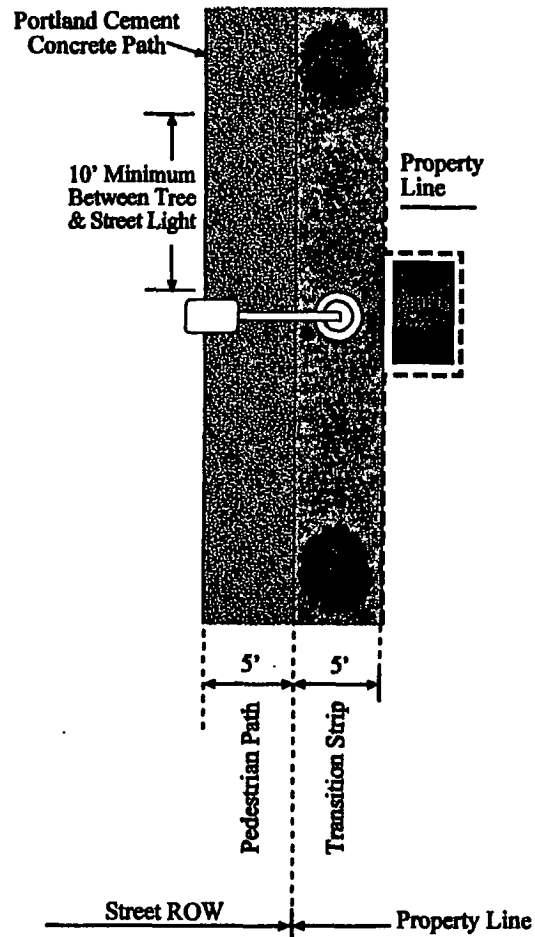
Exhibit 2

Pedestrian Path



Notes:

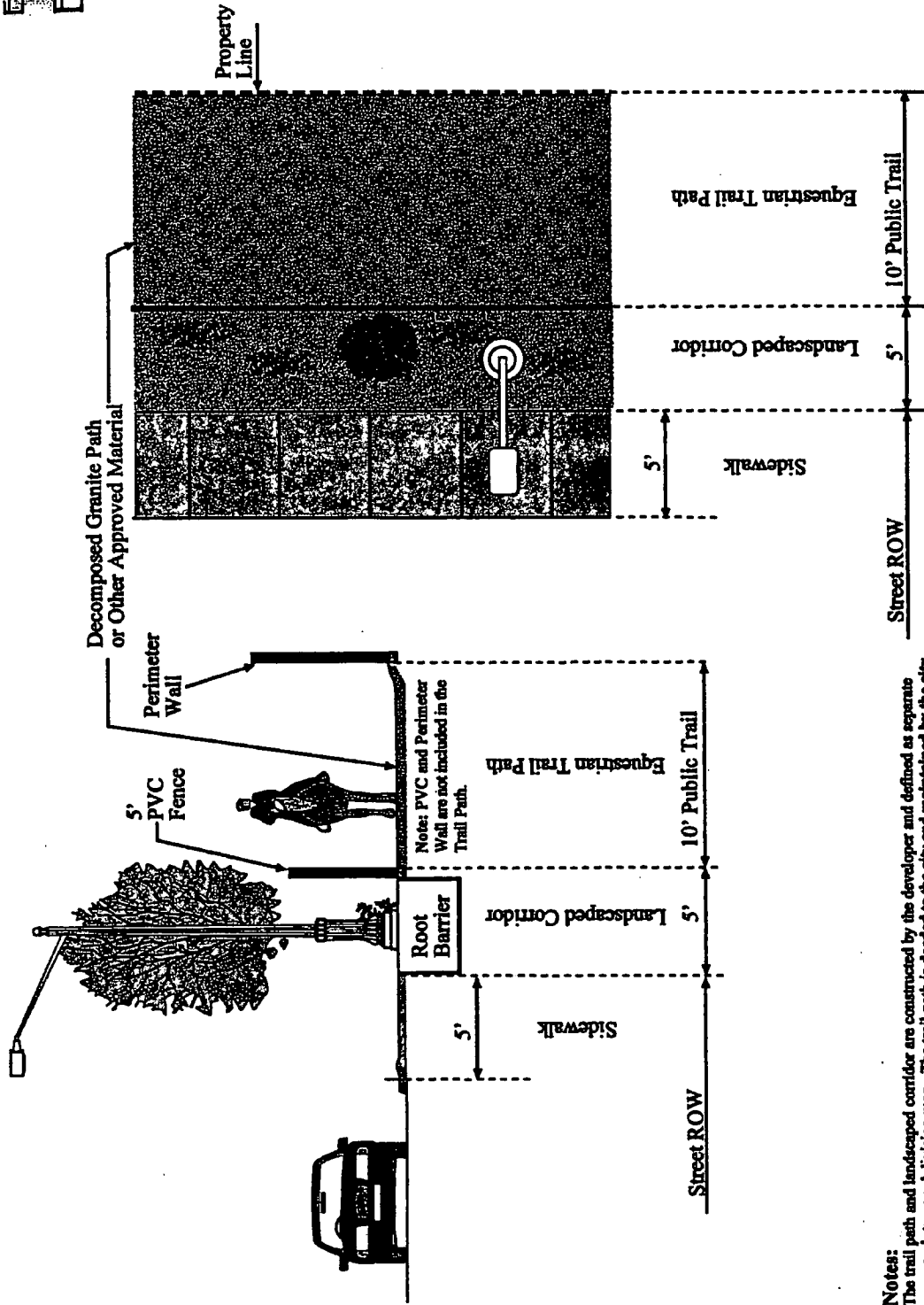
The transition strip and transportation trail path are constructed by the developer. The transition strip/landscape corridor is a common lot owned and maintained by a homeowner's association/private property owner. Utility boxes cannot retard landscaping or impede the trail path. Where necessary, pop-outs will be provided into private property and an appropriate utility easement granted.



Proposed



Exhibit 1 Equestrian Trail



Notes:
The trail path and landscaped corridor are constructed by the developer and defined as separate common lots on subdivision map. The trail path is dedicated to the city and maintained by the city. City maintenance shall consist of removal of debris and surface grading once every calendar year. The landscaped corridor is owned and maintained by a homeowner's association/private property owner. Public easements will be required for streetlights, fire hydrants, etc., not located in the public right-of-way. They must be situated so as not to block a sidewalk or trail path.

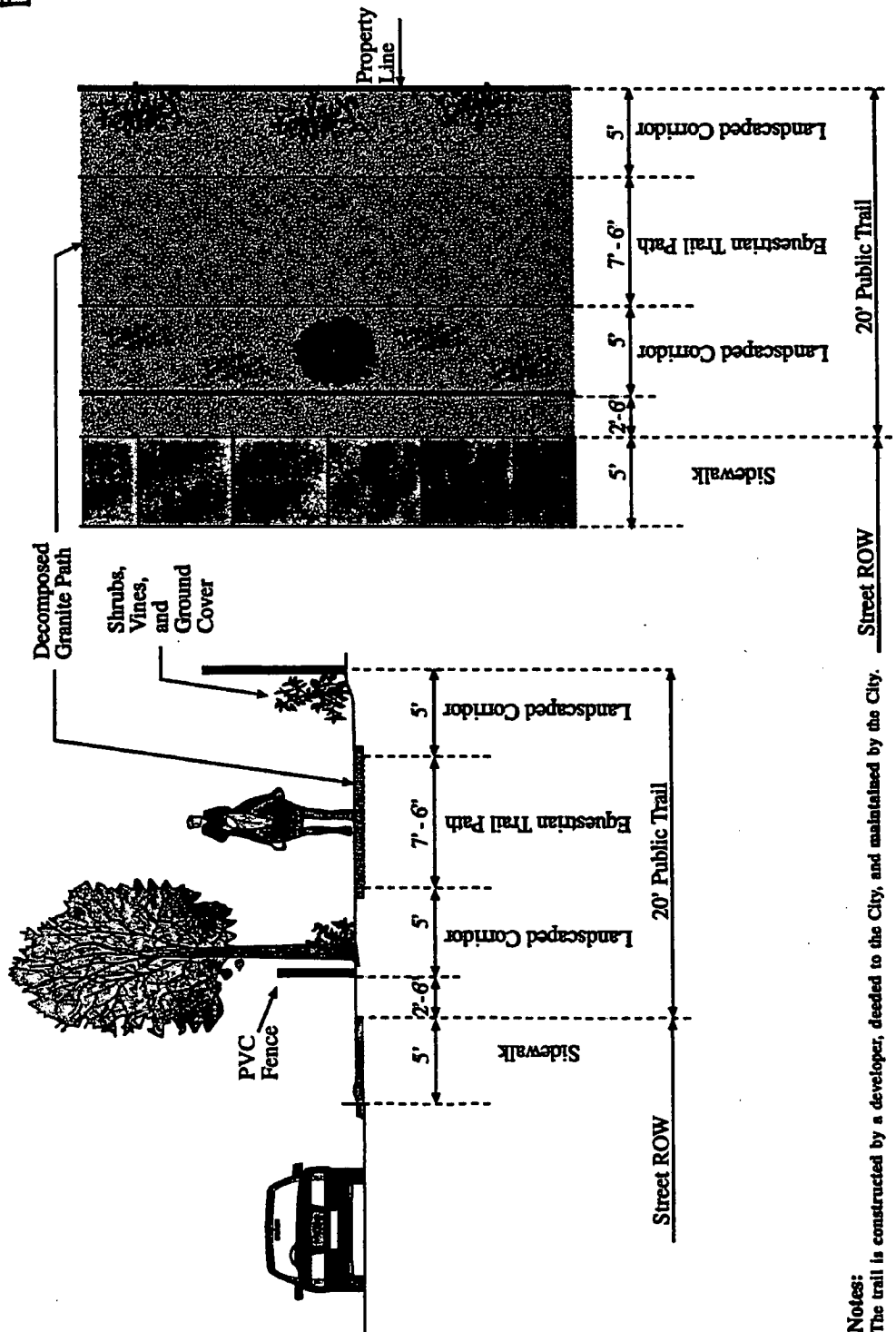


10/21/04

GPA-5157
10/21/04 PC

CITY OF LOS ANGELES
Recreation
Trails Element

Exhibit 1 Equestrian Trail



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

Adopted January 16, 2002

DOI: 10.1002/emp.1005

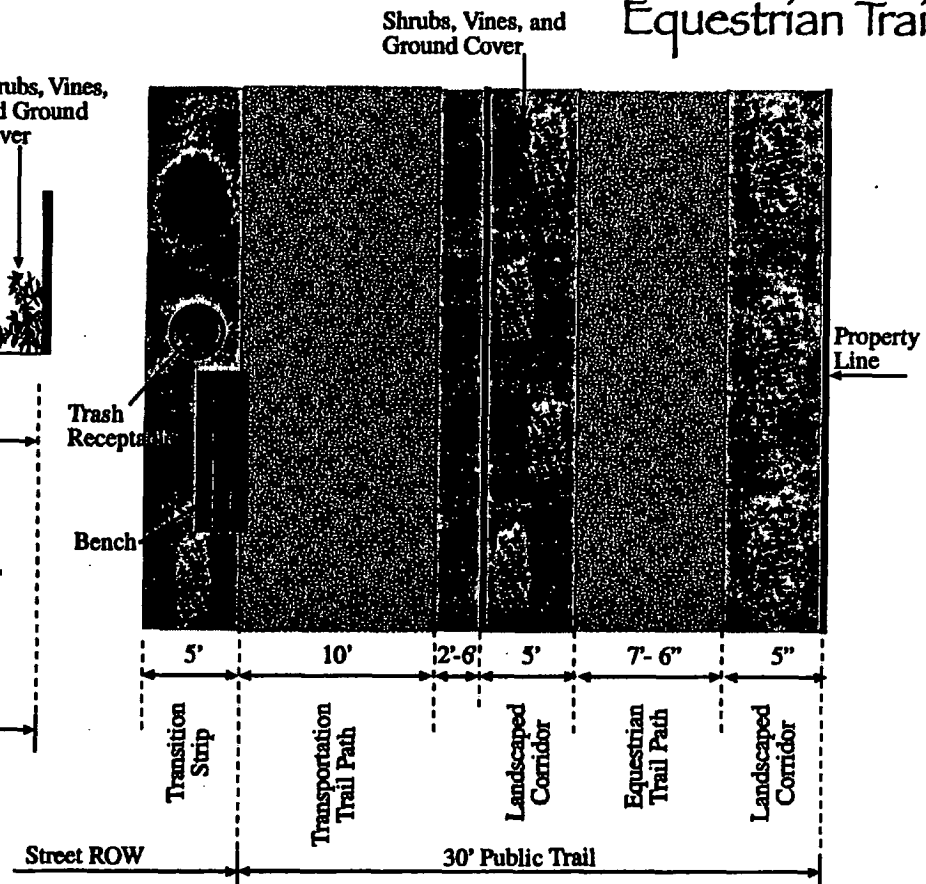
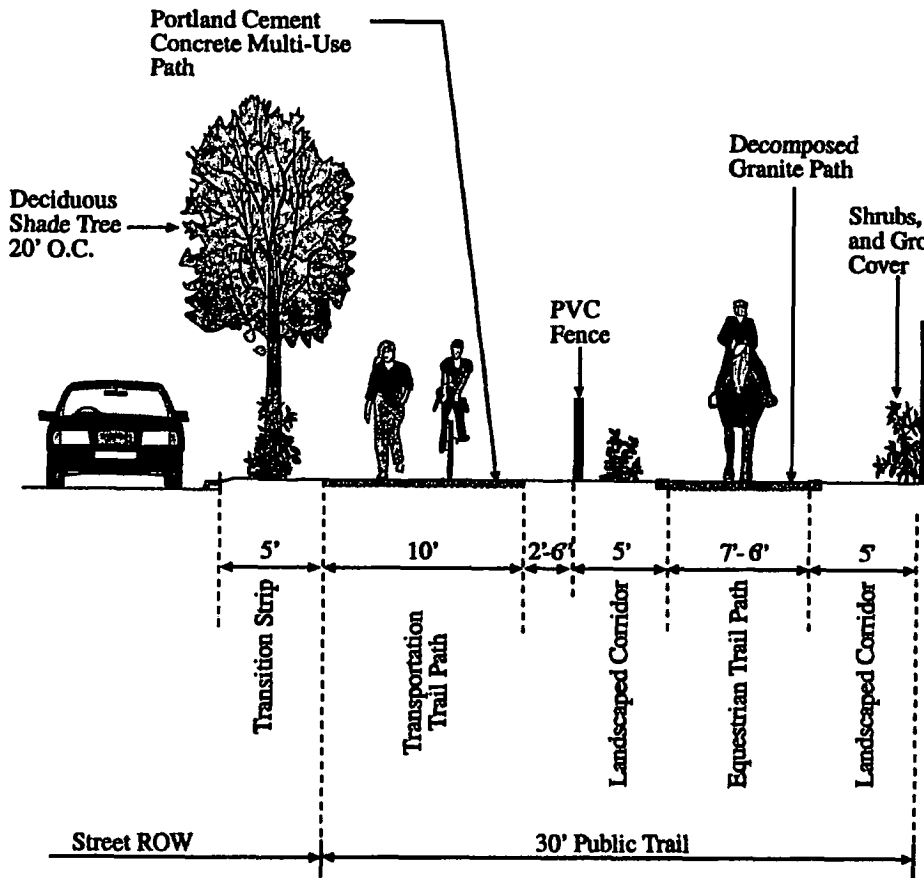


GPA-5157
11-17-04 CC

EXISTING



Exhibit 3
Multi-Use
Equestrian Trail



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

Adopted January 16, 2002

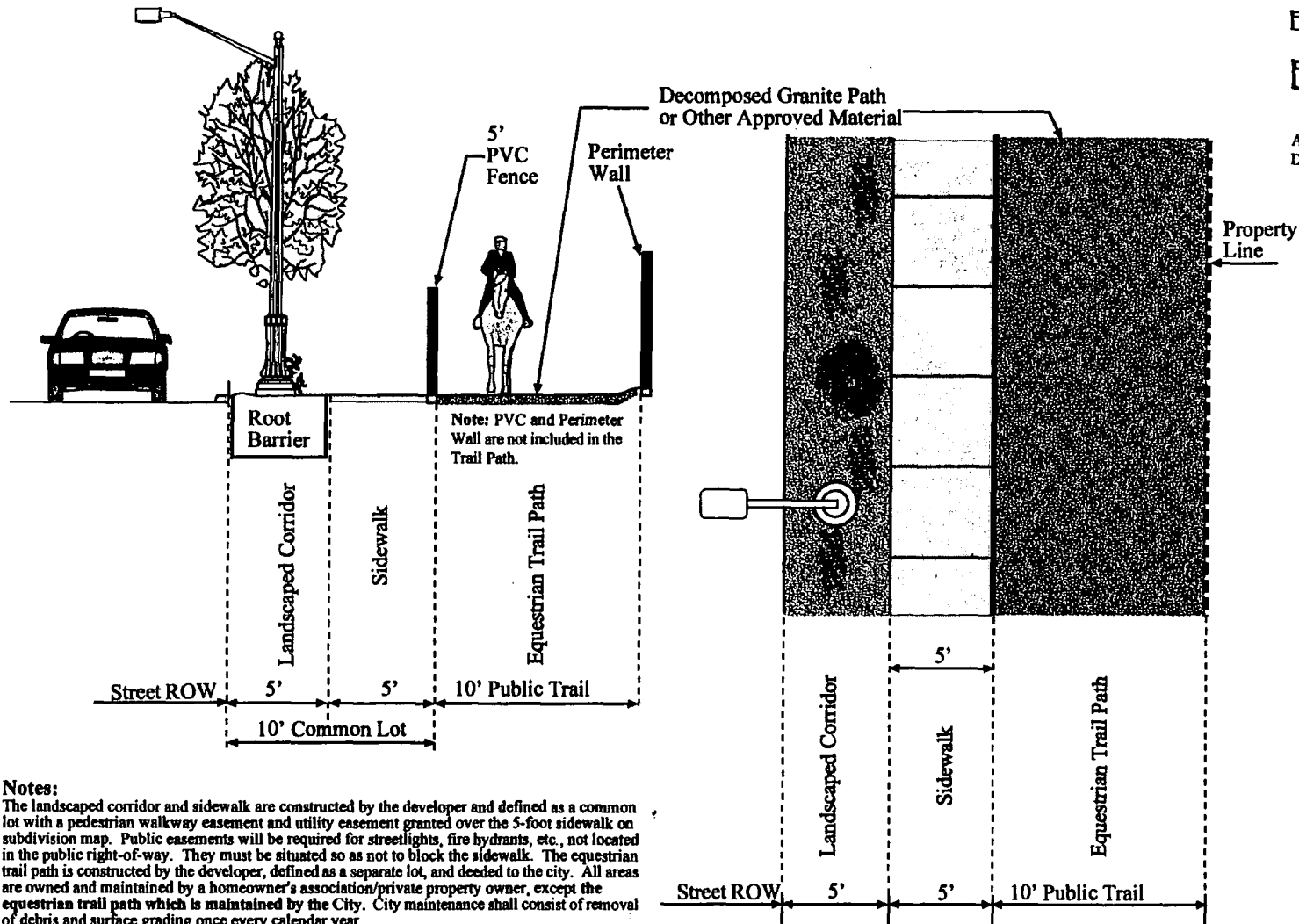
and 2002/Jan/16/2002/Jan/16/2002



GPA-5157
11-17-04 CC

Exhibit I Equestrian Trail

Approved by City Council
December 1, 2004



Notes:

The landscaped corridor and sidewalk are constructed by the developer and defined as a common lot with a pedestrian walkway easement and utility easement granted over the 5-foot sidewalk on subdivision map. Public easements will be required for streetlights, fire hydrants, etc., not located in the public right-of-way. They must be situated so as not to block the sidewalk. The equestrian trail path is constructed by the developer, defined as a separate lot, and deeded to the city. All areas are owned and maintained by a homeowner's association/private property owner, except the equestrian trail path which is maintained by the City. City maintenance shall consist of removal of debris and surface grading once every calendar year.

For protection from storm water, trees planted in the landscaped corridor adjacent to right-of-way must be secured by a decorative tree grate in stamped concrete.

exhibit I Trails Element Masterplan Updated 12-06-04



#118
Submitted after
city Council 12/01/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: PLANNING & DEVELOPMENT

DIRECTOR: ROBERT GENZER

☐ CONSENT ☒ DISCUSSION

SUBJECT:

MAJOR MODIFICATION

MOD-5497 - NOT TO BE HEARD BEFORE 4:00 P.M. - PUBLIC HEARING - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC - Request for a Major Modification to the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan TO CHANGE THE LAND USE DESIGNATION FROM: MS-TC (MAIN STREET MIXED USE - TOWN CENTER) TO: GC-TC (GENERAL COMMERCIAL - TOWN CENTER) on 24.91 acres adjacent to the northwest corner of Deer Springs Way and U.S. Highway 95 (APN 125-21-201-001), Ward 6 (Mack). The Planning Commission (6-0-1 vote) and staff recommend APPROVAL

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.
City Council Meeting

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

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

MOTION:

MACK - APPROVED subject to conditions and the following added conditions as read for the record:

- Permanent new and/or used automobile, boat or recreational vehicle sales shall be prohibited.
- Crematorium use is prohibited.
- All other uses would need Special Use Permits and would require approval by the City Council.
- UNANIMOUS with GOODMAN abstaining because ESKANNER GHERMEZIAN is being represented by ATTORNEY DAVID CHESNOFF, his law partner, MONCRIEF not voting and REESE excused

MINUTES:

MAYOR GOODMAN declared the Public Hearing open and declared his abstention.

MAYOR GOODMAN excused COUNCILMAN REESE, as he had family matters to attend to due to his mother's passing.

DEPUTY CITY ATTORNEY TOM GREEN advised MAYOR GOODMAN that his abstention and COUNCILMAN REESE'S excused absence will not affect the vote, as a quorum was present and the Council was able to proceed.

SENATOR RICHARD BRYAN, 300 South 4th Street, appeared as counsel for the applicant together with BARRY BENDER, Triple Five, 9510 West Sahara Avenue. SENATOR BRYAN explained that the parcel has been previously zoned and incorporated as part of the plan. They are seeking to bring

CITY COUNCIL MEETING OF: DECEMBER 1, 2004**MINUTES - Continued:**

conformance to the subject property and make one contiguous piece that will be used for a proposed regional enclosed mall. They have met with the neighbors, who have suggested additional conditions, to which the applicant agrees. In addition, the applicant agrees to involve the neighbors on the site development plan.

COUNCILMAN MACK asked ROBERT GENZER, Director of Planning and Development Department, to explain the difference between the first proposed General Plan Amendment and the Major Modification presented today. MR. GENZER indicated that some confusion was initially created by staff's indecision as to what type of application was required. The General Plan is the level at which all of the land uses begin. It guides the zoning and site plan that follow. In this particular case the General Plan for this area is correct. What is being done here is changing the Town Center designation, which is a secondary category to the General Plan from Main Street Mixed Use Town Center to General Commercial Town Center. In order to do a regional mall of this type, the GC-TC category is required to complete the project. The property is the easterly one-third portion of the overall site that will encompass the mall. The remainder of the property immediately west of the subject property is within the Montecito Town Center Development Agreement. Therefore, it falls under a different set of rules. By approving this Major Modification today, the applicant would now have the ability to apply for the Site Development Plan Review, as long as he meets all of the requirements of the Montecito Development Agreement for the overall project. The only thing being considered at this time is the Major Modification. The site plan will come later.

COUNCILMAN MACK thanked SENATOR BRYAN and MR. GHERMEZIAN for agreeing to work with the residents on the site plan. A better project is built when issues can be resolved with the residents' input prior to an application coming before the Planning Commission and/or the City Council. SENATOR BRYAN committed to work with the residents on the development of the site plan.

COUNCILMAN MACK commented on concerns about dealerships in the northwest when any type of zoning is being changed. He wants to keep the automobile, boat and recreational vehicle sales out of this project, as well as crematoriums. All other uses would need Special Use Permits and would require approval by the City Council. These were included as added conditions. SENATOR BRYAN agreed with the added conditions, and indicated that the mall might have an automobile inside a retail store, but not a dealership.

No one appeared in opposition.

COUNCILMAN BROWN declared the Public Hearing closed.

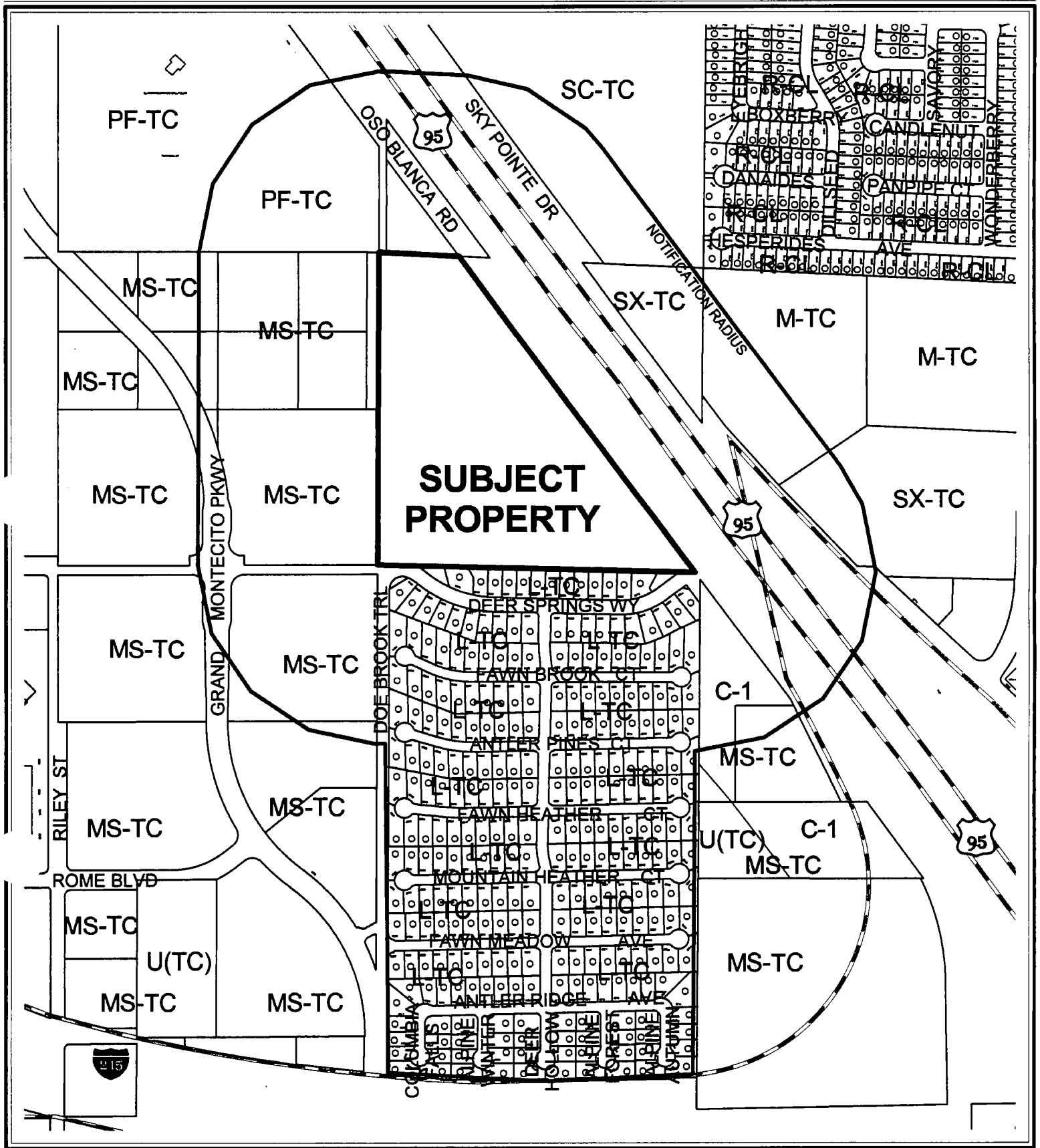
(3:53 - 4:14)

5-1671

CONDITIONS:

Planning and Development

1. A Site Development Plan Review that shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Sector Plan and the Town Center Development Standards Manual, except as amended by this request and other related applications.



CASE: MOD-5497

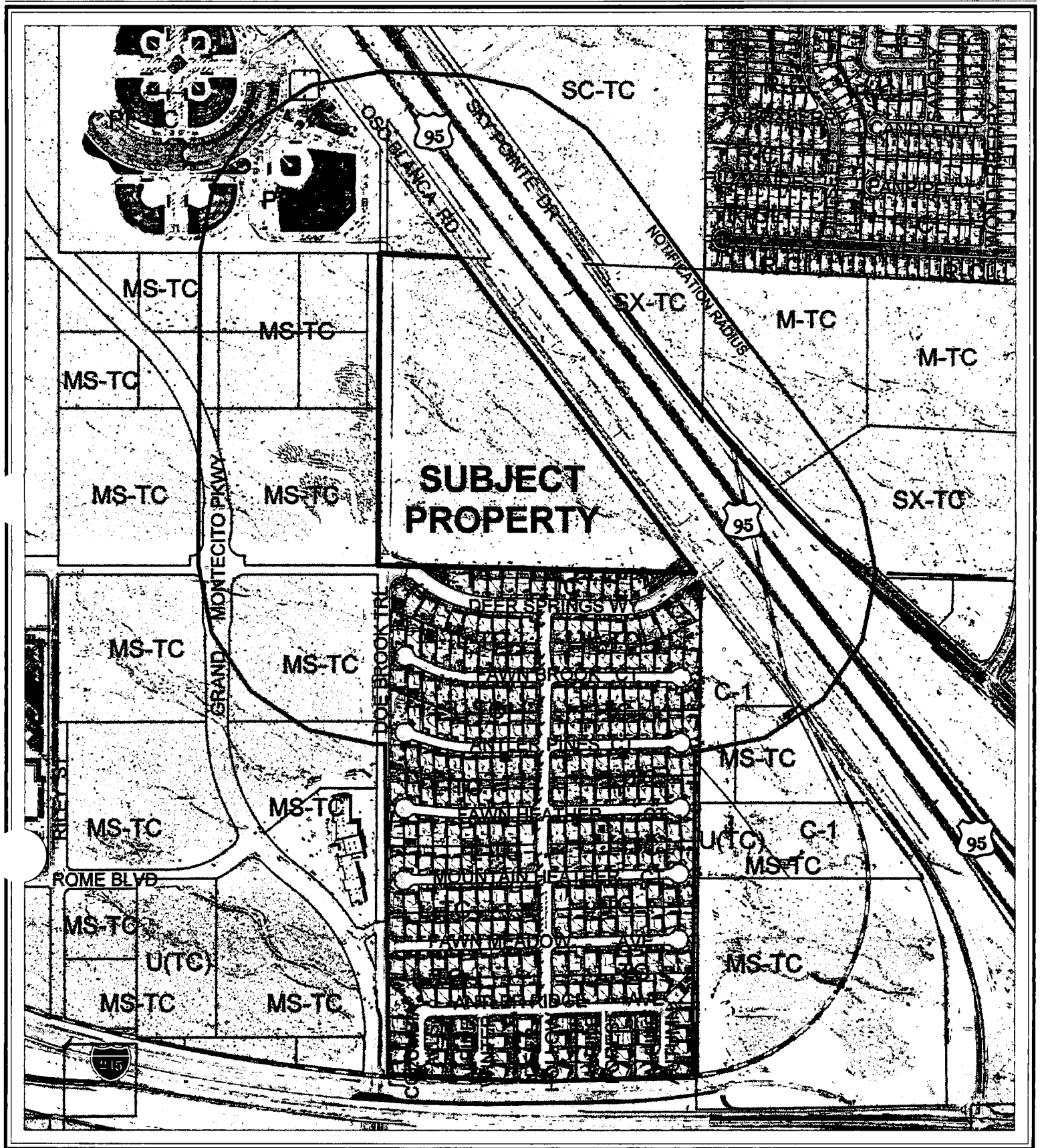
RADIUS: 750 FT + SPECIAL

TOWN CENTER SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

MS-TC (MAIN STREET MIXED USE - TOWN CENTER)

PROPOSED TOWN CENTER SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC-TC (GENERAL COMMERCIAL - TOWN CENTER)



CASE: MOD-5497

RADIUS: 750 FT + SPECIAL

TOWN CENTER SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

MS-TC (MAIN STREET MIXED USE - TOWN CENTER)

PROPOSED TOWN CENTER SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:

GC-TC (GENERAL COMMERCIAL - TOWN CENTER)



AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 1, 2004
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-5497 - APPLICANT: TRIPLE FIVE DEVELOPMENT
NEVADA – OWNER: GREAT MALL OF LAS VEGAS, LLC

**** CONDITIONS ****

The Planning Commission (6-0-1 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. A Site Development Plan Review that shall be approved by the City Council at a Public Hearing.
2. Conformance to the Centennial Hills Sector Plan and the Town Center Development Standards Manual, except as amended by this request and other related applications.

**** STAFF REPORT ****

APPLICATION REQUEST

A) Action Requested

This is a request for a Major Modification to the Centennial Hills Sector Plan and the Town Center Development Standards Manual from MS-TC (Main Street Mixed Use - Town Center) to GC-TC (General Commercial - Town Center) on 24.91 acres located west of US95, south of the Dorrell Lane alignment, north of the Deer Springs Way alignment and east of the former Durango Drive alignment.

B) Applicant's Justification

The applicant has justified this request by stating that this and subsequent applications, when approved, will facilitate the development of a regional shopping center on this and the site immediately to the west.

BACKGROUND INFORMATION

A) Previous Actions

- 05/20/64 The City Council approved an annexation (A-0003-64) of land generally located north of Cheyenne Avenue and west of Decatur Boulevard, containing approximately 10,136 acres, including the 40-acre easterly portion of the subject site. The effective date of this annexation was 05/29/64.
- 12/07/98 The City Council approved a request for a rezoning (Z-0076-98) on 1,468 acres located within the area designated Town Center on the Northwest Amendment to the General Plan, including the subject site, from U (Undeveloped), R-E (Residence Estates), R-PD7 (Residential Planned Development - 7 Units per Acre), R-PD11 (Residential Planned Development - 11 Units per Acre), R-PD13 (Residential Planned Development - 13 Units per Acre), R-PD18 (Residential Planned Development - 18 Units per Acre), R-CL (Residential - Compact Lot), C-1 (Limited Commercial), C-2 (General Commercial), C-V (Civic), and P-D (Planned Development) to T-C (Town Center).
- 11/07/01 The City Council approved the Town Center Development Standards Manual, which designated the subject site as MS-TC (Main Street Mixed Use - Town Center).
- 10/21/04 The Planning Commission accepted a request to withdraw without prejudice an application for a General Plan Amendment (GPA-5200) from MS-TC (Main Street Mixed Use - Town Center) to GC-TC (General Commercial - Town Center) on 55.74 acres including the subject site) located west of US95, south of the Dorrell Lane alignment, north of the Deer Springs Way alignment and east of the Riley Street alignment.

11/04/04 The Planning Commission voted 6-0-1 to recommend APPROVAL (PC Agenda Item #37/gl).

B) Pre-Application Meeting

08/23/04 A pre-application meeting was held in regard to GPA-5200, which was an application for a larger piece of land that included the subject site. The applicant was advised of the standard requirements for such an application, including the need to advertise and host a neighborhood meeting. That application was subsequently withdrawn in favor of this current request; as the substance of the request and the issues pertaining to the subject parcel remain the same, no additional formal pre-application meeting was required, although several meetings were held between the applicant and staff.

C) Neighborhood Meetings

09/21/04 A neighborhood meeting was held by the applicant with regard to GPA-5200. Approximately 75 persons attended the meeting and voiced concerns related to increased traffic, limitation of access to Durango ball fields, negative impact on property values and incompatibility with a rural lifestyle in the area.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 24.91

B) Existing Land Use

Subject Property: Undeveloped
North: Ball Diamonds
South: Single-Family Residential
East: US95 and Undeveloped
West: Undeveloped

C) Planned Land Use

Subject Property: TC (Town Center) [MS-TC (Main Street Mixed Use - Town Center) special land use designation]
North: TC (Town Center) [PF-TC (Public Facilities - Town Center) special land use designation]
South: TC (Town Center) [L-TC (Low Density Residential - Town Center) special land use designation]
East: TC (Town Center) [M-TC (Medium Density Residential - Town Center) and SX-TC (Suburban Mixed Use - Town Center) special land use designations] – across US95
West: TC (Town Center) [MS-TC (Main Street Mixed Use - Town Center) special land use designation] – Note: falls within the area affected by the Montecito Development Agreement

D) Existing Zoning

Subject Property:

North: T-C (Town Center)
South: T-C (Town Center) and C-1 (Limited Commercial)
East: T-C (Town Center)
West: T-C (Town Center)

E) General Plan Compliance

The subject site is located within the Centennial Hills Sector of the General Plan. More specifically, the site is located within the Centennial Hills Town Center, which is a master planned area subject to special land use designations as outlined in both the Centennial Hills Sector Plan and the Town Center Development Standards Manual. The site has a General Plan designation of TC (Town Center) within the Centennial Hills Sector Plan, and has a special land use designation of MS-TC (Main Street Mixed Use - Town Center) in both the Centennial Hills Sector Plan and the Town Center Development Standards Manual. The site is zoned as T-C (Town Center) pursuant to Title 19. This zoning district is consistent with both the General Plan designation and the Town Center special land use designation of the site.

The proposed special land use designation of GC-TC (General Commercial - Town Center), although more intensive than the current MS-TC special land use designation of the site, conforms to the TC (Town Center) General Plan land use designation of the site and the surrounding area. It should be noted that site plan controls will be necessary at the Site Development Plan Review stage to ensure that negative impacts on Timberlake, the adjacent single-family neighborhood to the south, are minimized.

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

Other than the Town Center policies as referenced above, there are no other plans or special policies that affect the subject site. It is possible that due to the scope of the regional mall project that will be facilitated by this request, that project may be subject to impact assessments through the Development Impact Notification Assessment or Project of Regional Significance processes.

INTERAGENCY ISSUES

There are no interagency issues involved with this request.

ANALYSIS

A) Zoning Code Compliance

The subject site and the majority of the entire area surrounding the site are currently zoned T-C (Town Center). The site will remain zoned as T-C should this request be approved, and the change to the GC-TC special land use designation will have no effect on this current zoning district as it applies to the site. Subsequent site plan review of development projects for the site will be required to conform to the provisions of the T-C zoning district.

B) General Analysis and Discussion

The Town Center Development Standards Manual calls for urban, main street-style development in this area, with ground-level commercial uses close to the street frontage and mixed-use, multi-unit residential units above, creating an urban setting for the Town Center core. The requested GC-TC designation will instead foster the development of a suburban-style two-million square-foot regional shopping center, which will include this site, as well as the 38-acre parcel owned by the applicant immediately to the west.

While this request appears to be contrary to the approved planning concepts for the Town Center core, much of that core is located to the west of this site, within the area subject to the Montecito Development Agreement. The provisions of that Agreement override the Town Center requirements. Virtually all of that MS-TC core area within the Development Agreement area (with the exception of the aforementioned 38-acre parcel), has either been developed as, or has been approved for, suburban-style development that is contrary to the spirit of the MS-TC requirements. As a result, the type of development that would occur on the subject parcel under GC-TC would be more in character with the existing and approved development in the Montecito area, than it would with Town Center development concepts. The subject site is sandwiched between US95 and the Montecito area, and is isolated from other portions of Town Center by US95. The request is therefore appropriate, given the current context of the area.

PLANNING COMMISSION ACTION

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

NOTICES MAILED 303 by Planning Department

APPROVALS 1

PROTESTS 0

**PLANNING & DEVELOPMENT DEPARTMENT**

STATEMENT OF FINANCIAL INTEREST

Case Number: MOD-5497 APN: 125-21-201-001
125-20-601-002, 003
125-20-602-001, 002, 003 & 004

Name of Property Owner: Great Mall of Las Vegas, LLC

Name of Applicant: TRIPLE FIVE Development - NEVADA

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): _____ 0 _____

APN: _____

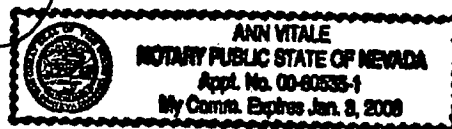
Signature of Property Owner/Authorized Agent:

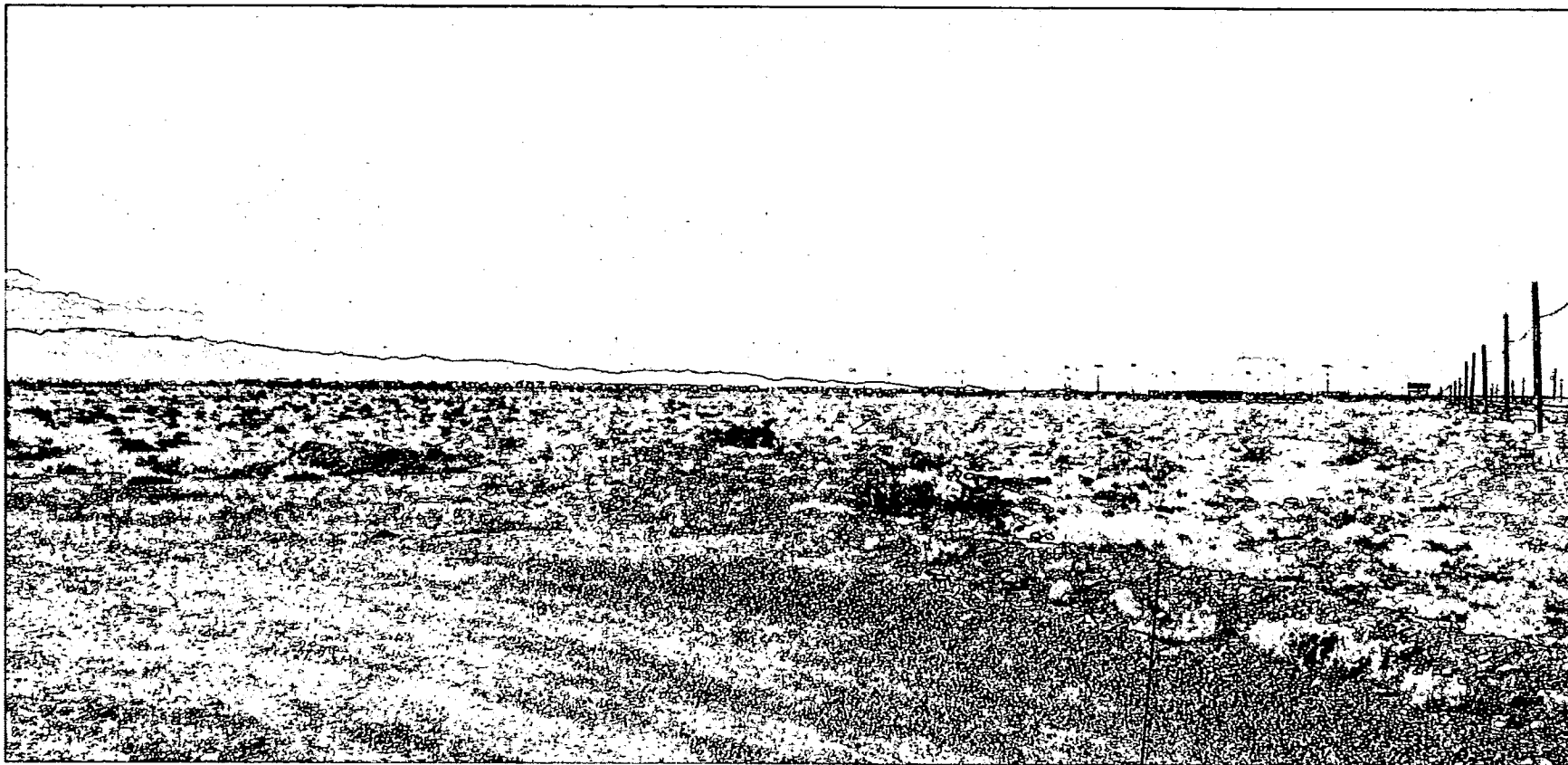
Print Name:

Subscribed and sworn before me

This 24 day of Sept, 2004

Notary Public in and for said County and State





MOD-5497 - APPLICANT: TRIPLE FIVE DEVELOPMENT NEVADA - OWNER: GREAT MALL OF LAS VEGAS, LLC
NORTHEAST CORNER OF DEER SPRINGS WAY AND U.S. HIGHWAY 95
OCTOBER 21, 2004 PLANNING COMMISSION

10/05/04

AGENDA SUMMARY PAGE
CITY COUNCIL MEETING OF: DECEMBER 1, 2004

DEPARTMENT: CITY CLERK

DIRECTOR: BARBARA JO 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

MINUTES:

RQR-5247, RQR-5263, RQR-5372, SUP-4883, SUP-5324, SUP-5360, SUP-5362, SUP-5378, SUP-5386, SUP-5392, VAC-5333, VAR-5199, VAR-5214, VAR-5388, VAR-5389, VAR-5511 and VAR-5512 - 12/15/2004 AGENDA

AGENDA SUMMARY PAGE

CITY COUNCIL MEETING OF: DECEMBER 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:

LEE HAYNES stated the recall would cost the City money. They have the signatures for the recall and are a third of the way to nominating a candidate. He asked that COUNCILWOMAN MONCRIEF resign and not leave a legacy of costing the City tens of thousands of dollars for an unsuccessful temper tantrum between herself and him. If she does not resign, he asked that the Council members request that she be expelled from the Council, which is within their prerogative. He submitted a letter with information packet for the record.

(4:14 - 4:16)

5-2117

STEVEN "CAPTAIN TRUTH" DEMPSEY noted that his book and radio were confiscated by the Marshals, and was told that reading materials are not allowed in the Council Chambers. He congratulated COUNCILMAN MACK on his decision not to seek re-election. He indicated that people on the City Council have been accepting money and refuse to stop the bloodshed in Ward 1.

(4:16 - 4:18)

5-2187

COUNCILWOMAN MONCRIEF confirmed the issue is between herself and MR. HAYNES. He went to her office five times and requested that she change the Sexual Oriented Business District on the Las Vegas Strip where the City is attempting to redevelop. Finally, after the fifth meeting she said no. For some reason MR. HAYNES and RAYMOND PISTOL wanted another Sexual Oriented Business and she declined.

(4:18)

5-2300

JOHNNY VENTURA, 601 Raintree Lane, stated he will miss COUNCILMAN MACK and commended him on the great job he has done. He asked if the Nativity Scene and the Menorah will be placed downtown. MAYOR GOODMAN announced that the lighting of the Menorah and the Christmas Tree will be held on Tuesday, December 7th, 2004 on Fremont Street. It has been the position of the Fremont Street Experience that the Nativity Scene will not be allowed. MR. VENTURA felt that both Christian and Jewish faiths should be represented. MAYOR GOODMAN suggested MR. VENTURA contact JOE SCHELACKI of the Fremont Street Experience, who might have a different position on this issue.

(4:18 - 4:22)

5-2320

MAYOR GOODMAN recognized two Boys Scouts, ZACK and JOSH MELARD, who attend Rogich

City of Las Vegas

MINUTES - Continued:

Middle School. In order for them to obtain the Citizenship and Community Merit Badge, they must attend a City Council meeting to observe how government works. MAYOR GOODMAN gave each of the boys an agenda signed by the City Council. COUNCILMAN WOLFSON told MRS. MELARD he would be happy to answer a few questions for her son, JOSH.

(4:22 - 4:26)

5-2482

MEETING ADJOURNED AT 4:26 P.M.

WARD 1. POLITICAL CLEAN UP COMMITTEE
1236 Las Vegas Boulevard South
Las Vegas, Nevada 89104-1313

JULY 24, 2004

Councillady Janet Moncrief
City Hall-10th Floor
400 Stewart Avenue
Las Vegas, Nevada 89101

Dear Councillady Moncrief:

For some time, I have personally been standing in the way of a number of persons ready to seek your recall. I will do this no longer.

I have lost all faith in your integrity and ability to represent Ward 1 in a fair and effective manner. The recall is not by the ones you probably suspect. Suffice it to say that I am the one doing it. You seem rather adept at blaming others for your own problems so blame me for this particular one.

I ask that you save us the expense and savagery of a recall campaign by resigning before August 31, 2004.

With true regret,

Lee Wayne Haynes
Lee Wayne Haynes, coordinator
W1PCUC

Submitted at City Council

Date *8/1/04* Item *Citizen's Participation*

United States Supreme Court

City council,
Election of members.
 Reapportionment plans, at large selection
 of city council, see *Wise v. Lipscomb*,

U.S.Tex.1978, 98 S.Ct. 2493, 437 U.S.
 535, 57 L.Ed.2d 411, on remand 583
 F.2d 212.

(D)

266.225. Vacancy in office of councilman filled by mayor and council; exception

Except as otherwise provided in NRS 268.325, any vacancy occurring in the office of councilman by death, resignation, removal or otherwise must be filled by the mayor and city council at the first regular meeting after the vacancy, when the council and the mayor, who has the same voting power thereon as a councilman, shall by a majority vote elect some person possessing the requisite qualifications, who shall hold the office until the election and qualification of his successor at the next general city election.

Amended by Laws 1997, p. 2448.

Formerly section 19 of chapter 125 of Laws 1907; RL (1912), § 785; NCL (1929), § 1119.

Library References

Key Numbers

Municipal Corporations ¶131.

Westlaw Key Number Search: 268k131.

Encyclopedias

C.J.S. Municipal Corporations §§ 473 to 474.

266.230. Limitation on councilman's appointment to office created or which had salary increased while he was member of council

No member of any city council shall, during the term for which he was elected and for 1 year after the expiration of such term, hold or be appointed to any office which shall have been created, or the salary or emoluments of which shall have been increased, while he was such member.

Formerly section 50 of chapter 125 of Laws 1907; RL (1912), § 816; NCL (1929), § 1151.

Library References

Key Numbers

Municipal Corporations ¶140.

Westlaw Key Number Search: 268k140.

Encyclopedias

C.J.S. Municipal Corporations § 481.

Notes of Decisions

In general 1

1. In general

If the current city council/board of supervisors increases the salaries for the next term of office, a mayor or city councilman/supervisor can run for reelection and does not need to absent himself or herself from office for one year notwithstanding the language of section 1.070(1)(b) of the Carlin City Charter, section 1.100(1)(b) of the Elko City Charter, or section

1.070(1)(b) of the Wells City Charter, or NRS 266.230. Op.Atty.Gen. No. 99-27, Aug. 5, 1999.

If a city council/board of supervisors increases the salary for the mayor and/or councilmen/supervisors to be effective in the next term of the office and the incumbent mayor and/or councilmen/supervisors are reelected, the salary increase for these reelected officials does not take effect for one year pursuant to the language found in section 1.070(1)(b) of the Carlin and Wells City Charter; section 1.100(1)(b) of the Elko City Charter; and NRS 266.230. Op. Atty.Gen. No. 99-27, Aug. 5, 1999.

POWERS & DUTIES OF INCORPORATED CITIES & TOWNS 268.380

Library References

Key Numbers

Municipal Corporations Ⓒ92.
Westlaw Key Number Search: 268k92.

Encyclopedias

C.J.S. Municipal Corporations § 400.

Notes of Decisions

Decisions reviewable 1

1. Decisions reviewable

der Const. art. 6, § 4, and Rev. Laws,
12, 4833, held, that judgment in proceed-

ing for appointment of guardian for mentally
enfeebled person under section 6162, which is
an equitable proceeding, is appealable. O'Don-
nell v. Sixth Judicial District Court of State of
Nevada in and for Humboldt County, 1917, 165
P. 759, 40 Nev. 428. Mental Health Ⓒ 150

268.325. Methods to fill vacancy on governing body of city

If a vacancy occurs on the governing body of a city, the governing body may, in lieu of appointment, declare by resolution a special election to fill the vacancy.

Added by Laws 1997, p. 2448.

Cross References

City councils, councilman vacancy filled by mayor and council, see NRS 266.225.

Library References

Key Numbers

Municipal Corporations Ⓒ149(1).
Westlaw Key Number Search: 268k149(1).

Encyclopedias

C.J.S. Municipal Corporations § 495.

380. Nevada Ethics in Government Law inapplicable to certain transactions

The provisions of the Nevada Ethics in Government Law (NRS 281.411 to 281.581, inclusive) do not prohibit any city officer from purchasing the warrants of the state or of any other city or county, or prevent any city officer from selling or transferring such warrants or scrip as he may receive for his services, but none other.

Amended by Laws 1975, p. 932.

Formerly section 74 of chapter 108 of Laws 1866 [part]; Bonnifield and Healy (1873), § 2672; Baily and Hammond (1885), § 1709; Cutting (1900), § 1855; RL (1912), § 2826; NCL (1929), § 4826.

Cross References

Ethics in government, generally, see NRS 281.411 et seq.

Library References

Key Numbers

Municipal Corporations Ⓒ170.
Westlaw Key Number Search: 268k170.

Encyclopedias

C.J.S. Municipal Corporations § 545.

INCORPORATION OF CITIES & TOWNS

266.245

266.235. Quorum of council

A majority of all members of the council shall constitute a quorum to do business, but a less number may meet and adjourn from time to time and may compel the attendance of absentees under such penalties as may be prescribed by ordinance.

Formerly section 20 of chapter 125 of Laws 1907; RL (1912), § 786; NCL (1929), § 1120.

Library References

56 Am. Jur. 2d, Municipal Corporations, Counties, and Other Political Subdivisions § 163.

Westlaw Key Number Search: 268k90.

Encyclopedias

Key Numbers

Municipal Corporations ⇨90.

C.J.S. Municipal Corporations § 399.

266.240. Rules; punishment or expulsion of members

The council shall determine its own rules of procedure, may punish its members for disorderly conduct, and, with the concurrence of two-thirds of the members of the council, may expel a member for cause.

Formerly section 21 of chapter 125 of Laws 1907 [part]; RL (1912), § 787; NCL (1929), § 1121.

Library References

Key Numbers

Municipal Corporations ⇨92.

Westlaw Key Number Search: 268k92.

Encyclopedias

C.J.S. Municipal Corporations § 400.

Notes of Decisions

In general 1

or beyond that which is expressly granted by statute. Op.Atty.Gen. No. 99-31, Sept. 8, 1999.

1. In general

A city of the second class may not, by procedural rule, expand the voting power of its may-

266.245. Regular and special meetings

1. The city council shall prescribe by ordinance the time and place of holding its meetings, but at least one meeting shall be held each month.

2. Special meetings may also be held on a call of the mayor or a majority of the council, by giving 6 hours' written notice of such special meetings to each member of the council, served personally or left at his usual place of abode.

3. No ordinance shall be passed nor any claim allowed at a special meeting, and no business shall be transacted at any special meeting except such as shall be stated in the call therefor.

4. No vote of the city council shall be reconsidered at a special meeting unless there be present at such special meeting as large a number of councilmen as were present when the vote was taken.

Formerly section 22 of chapter 125 of Laws 1907; RL (1912), § 788; NCL (1929), § 1122. Section 24 of chapter 125 of Laws 1907; RL (1912), § 790; NCL (1929), § 1124.