City of Las Vegas

Agenda Item No.: 51

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-6324 - REZONING RELATED TO GPA-6318 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS - Request for a Rezoning FROM: C-V (CIVIC) TO: C-1 (LIMITED COMMERCIAL) on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 665 feet east of El Capitan Way (APN 138-08-801-006 and 007), Ward 4 (Brown).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED subject to conditions – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 50 [GPA-6318] for related discussion on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

(9:24 – 9:31)
3-230

CONDITIONS:
Planning and Development
1. A General Plan Amendment (GPA-6318) to a SC (Service Commercial) land use designation approved by the City Council.

CONDITIONS – Continued:

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

3. A Site Development Plan Review application (SDR-6331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.

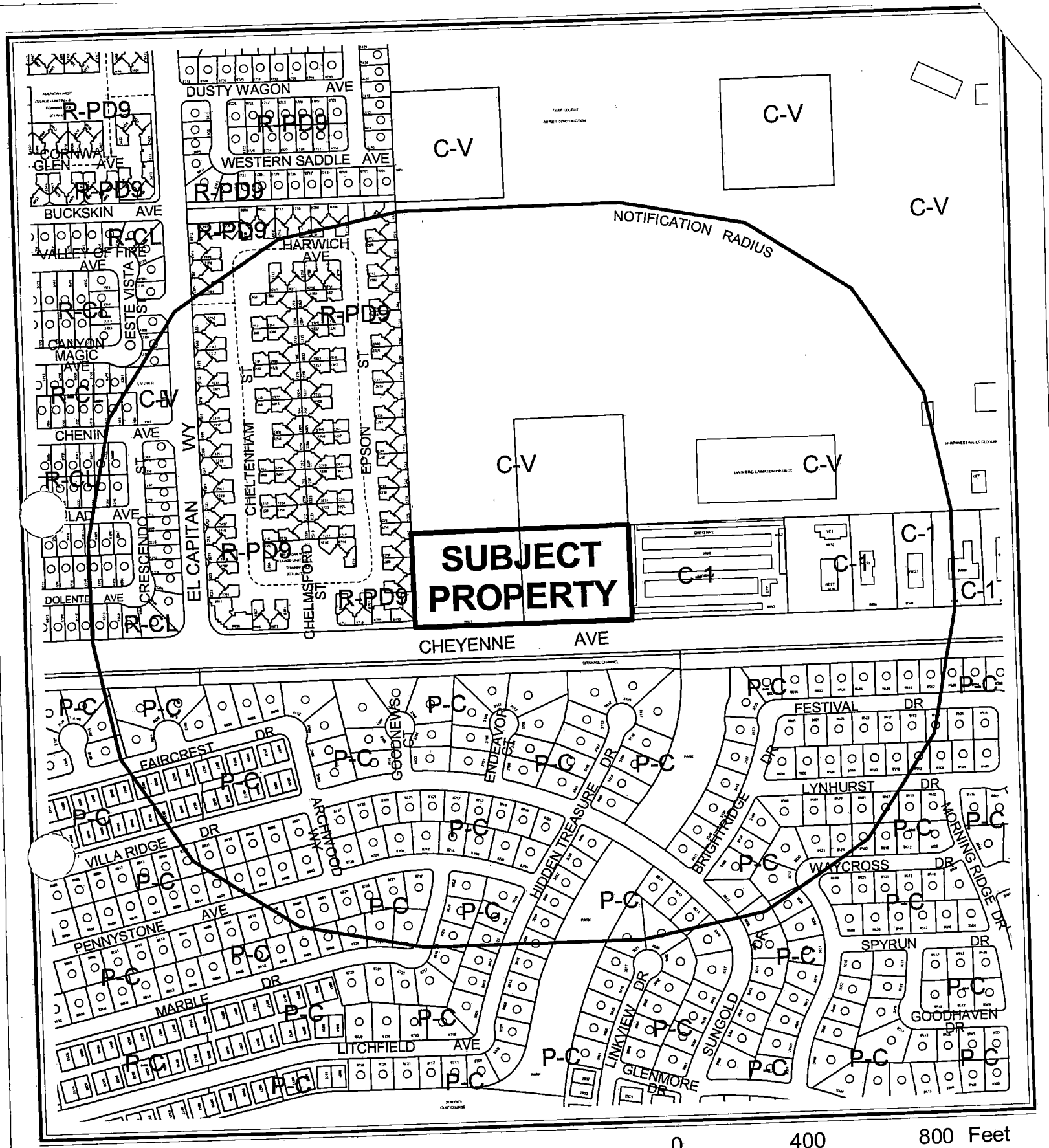
5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with Land Development to determine what improvements are substandard.

6. 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, the submittal of any construction drawings, or the submittal of a Map subdividing this site, whichever may occur first. 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. 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.

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 submittal 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

CONDITIONS – Continued:

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.

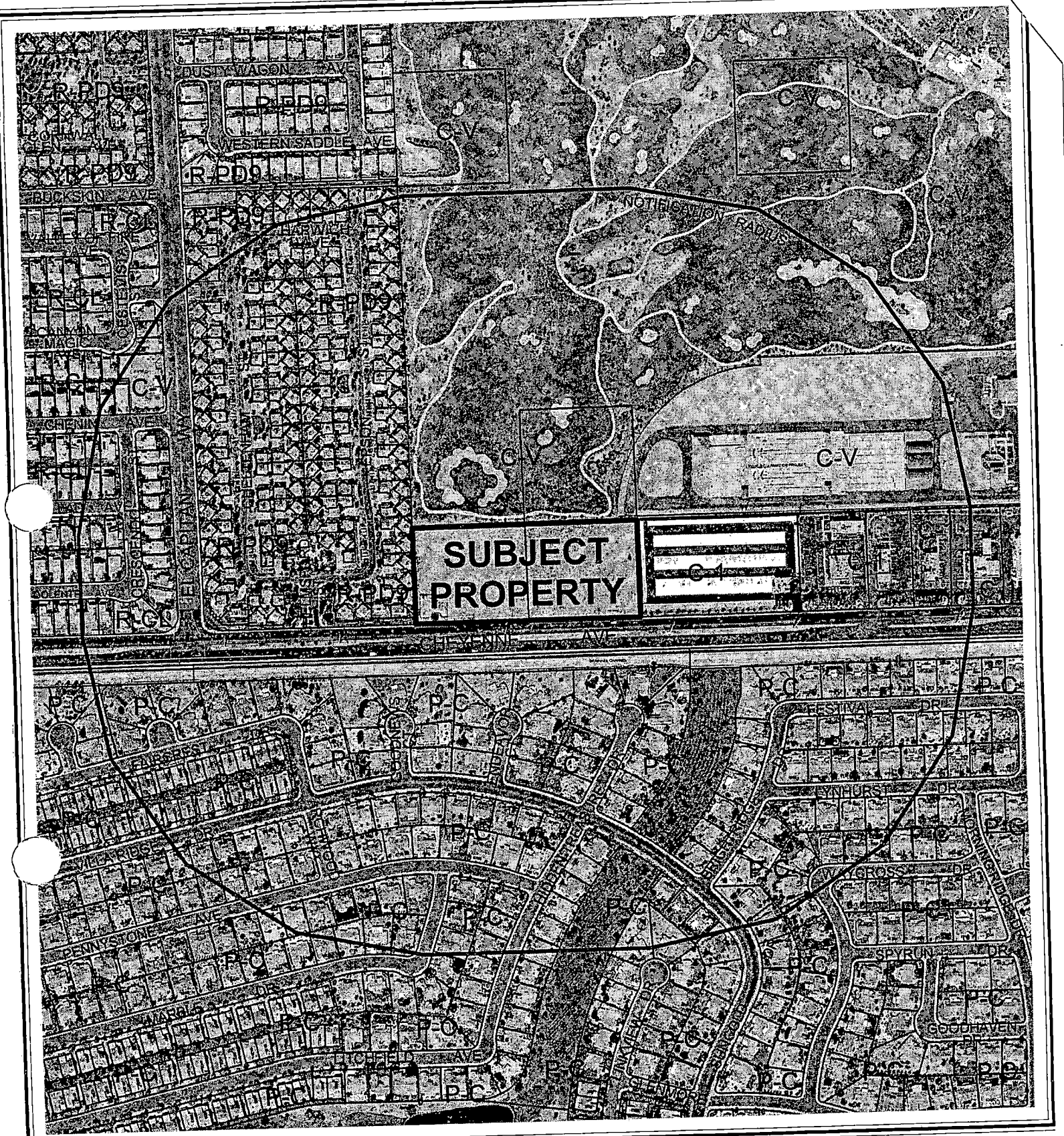


CASE: **ZON-6324**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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



0 400 800 Feet

CASE: **ZON-6324**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6324 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A General Plan Amendment (GPA-6318) to a SC (Service Commercial) land use designation approved by the City Council.

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

3. A Site Development Plan Review application (SDR-6331) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such a map is required, it should record prior to the issuance of any permits for this site.

5. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site. Coordinate with Land Development to determine what improvements are substandard.

6. 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, the submittal of any construction drawings, or the submittal of a Map subdividing this site, whichever may occur first. 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. 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.

SS

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 submittal 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.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from C-V (Civic) to C-1 (Limited Commercial) on 5.00 acres adjacent to the north side of Cheyenne Avenue, approximately 635 feet east of El Capitan Way.

B) Applicant's Justification

The applicant justifies this application by stating that the proposed commercial zoning will be compatible with existing adjacent zoning districts and land uses.

BACKGROUND INFORMATION

A) Related Actions

01/1991 The City Council approved the Annexation (A-0002-91) of lands north of Cheyenne Avenue, west of Durango Drive, including the east half of the subject property.

06/15/94 The City Council approved a Rezoning (Z-0004-94) from N-U (Non-Urban) to R-PD9 (Residential Planned Development – 9 units per acre) on 21.42 acres adjacent to the northeast corner of Cheyenne Avenue and El Capitan Way, to the west of the subject property. The Planning Commission and staff recommended approval.

10/27/94 The Planning Commission approved the Annexation (A-0027-94) of lands north of Cheyenne Avenue, west of Durango Drive, including the west half of the subject property.

12/20/95 The City Council approved a Rezoning (Z-0087-95) from N-U (Non-Urban) to C-1 (Limited Commercial) on the west 2.5 acres of this site (including area dedicated for right-of-way). The Planning Commission and staff recommended approval.

04/28/97 The City Council approved a General Plan Amendment (GPA-0013-97) from SC (Service Commercial) to PF (Public Facilities) on the subject site as part of a larger request. A Rezoning to C-V (Civic) on the subject site was also approved as part of a larger request (Z-0022-97). The Planning Commission and staff recommended approval.

SS

01/25/01 The Planning Commission approved a Site Development Plan Review [Z-0022-97(1)] for a proposed 9.3-acre city park and a golf course with ancillary maintenance facility, club house, and golf cart storage on 102.5 acres north of the subject site. Staff recommended approval.

04/28/05 The Planning Commission will consider companion items for a General Plan Amendment (GPA-6318) from PR-OS (Park/Recreation/Open Space) to SC (Service Commercial) and a Site Development Plan Review (SDR-6331) for a proposed commercial development consisting of a 40,000 square foot, two-story office building and two single-story 5,000 square foot retail buildings on the subject site. Staff recommends approval of all items.

B) Pre-Application Meeting

03/01/05 Staff and the applicant discussed parking and landscaping requirements for the related Site Development Plan Review. The applicant was advised to revise the site plan to move parking spaces away from access points.

C) Neighborhood Meetings

04/07/05 A neighborhood meeting was held at the J.W. Marriott Hotel with one property owner in attendance. Concerns raised by the neighbor included the width of traffic aisles in the parking area, possible easements along the east side of the property, and the lack of deceleration lanes in Cheyenne Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	5.00 (including half of Cheyenne Avenue)
Net Acres:	4.22

B) Existing Land Use

Subject Property:	Well site
North:	Golf Course
South:	Single Family Detached Dwellings
East:	Mini-Warehouse
West:	Single Family Attached Dwellings

SS

C) Planned Land Use

Subject Property:	PR-OS (Park/Recreation/Open Space)
North:	PR-OS (Park/Recreation/Open Space)
South:	ML (Medium-Low Density Residential)
East:	SC (Service Commercial)
West:	ML (Medium-Low Density Residential)

D) Existing Zoning

Subject Property:	C-V (Civic)
North:	C-V (Civic)
South:	P-C (Planned Community)
East:	C-1 (Limited Commercial)
West:	R-PD9 (Residential Planned Development – 9 units per acre)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan of the General Plan designates this property as PR-OS (Park/Recreation/Open Space). Large public parks and recreation areas such as golf courses, trails, drainage easements and detention basins are typical uses allowed within the PR-OS designation. The existing C-V (Civic) zoning district is compatible with this land use category. The applicant is proposing to amend the land use plan to SC (Service Commercial) to accommodate the retail and office uses proposed for this site and to validate the proposed C-1 (Limited Commercial) zoning.

SPECIAL DISTRICTS/ZONES	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

No special districts, plans or zones are associated with the subject site.

ANALYSIS

A) General Analysis and Discussion

The proposed Rezoning to C-1 (Limited Commercial) on the subject site is appropriate for the area. Approval of the Rezoning will first require approval of a General Plan Amendment to change the land use classification from PR-OS (Park/Recreation/Open Space) to SC (Service Commercial). Prior to being designated for open space and other public uses, this site had previously been designated SC (Service Commercial). Limited Commercial uses will be available along the entire north side of Cheyenne Avenue from Durango Drive to the existing single-family attached subdivision on the northeast corner of Cheyenne Avenue and El Capitan Way. Both existing residential areas nearby will be properly screened from any potential commercial uses on the site. A Reversionary or other map may be necessary to remove existing lot lines where the office building is proposed.

SS

FINDINGS

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

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

   With approval of an accompanying General Plan Amendment from PR-OS (Park/Recreation/Open Space) to SC (Service Commercial) on this site, the proposed C-1 (Limited Commercial) zoning request will conform to the General Plan by allowing uses similar to those in the SC (Service Commercial) land use category.

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 C-1 (Limited Commercial) zoning district allows for a wide range of retail, office and other light-intensity commercial uses. Some of these uses may require Special Use Permits to determine their compatibility with single-family residential developments to the west and south. Otherwise, the office and retail uses specifically proposed for the site are compatible with the public golf course to the north, zoned C-V (Civic), and the C-1 (Limited Commercial) zoned mini-warehouse to the east.

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 office and commercial uses already common along the north side of Cheyenne Avenue.

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."**

   Cheyenne Avenue, a 100-foot Primary Arterial as designated on the Master Plan of Streets and Highways, is adequate to meet the needs of commercial uses that would be permitted as a result of a Rezoning to C-1 (Limited Commercial).

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 399 [Mailed with GPA-6318 and SDR-6331]

APPROVALS 0

PROTESTS 1

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6324 APN: 138-08-801-006 & 007

Name of Property Owner: City of Las Vegas

Name of Applicant: Investment Equity Builders (Marc Cummings)

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: 138-08-801-006 & 007

Signature of Property Owner/Authorized Agent: K. John McNellis 3/24/05

Print Name: K. John McNellis

Subscribed and sworn before me

This 24th day of March, 2005

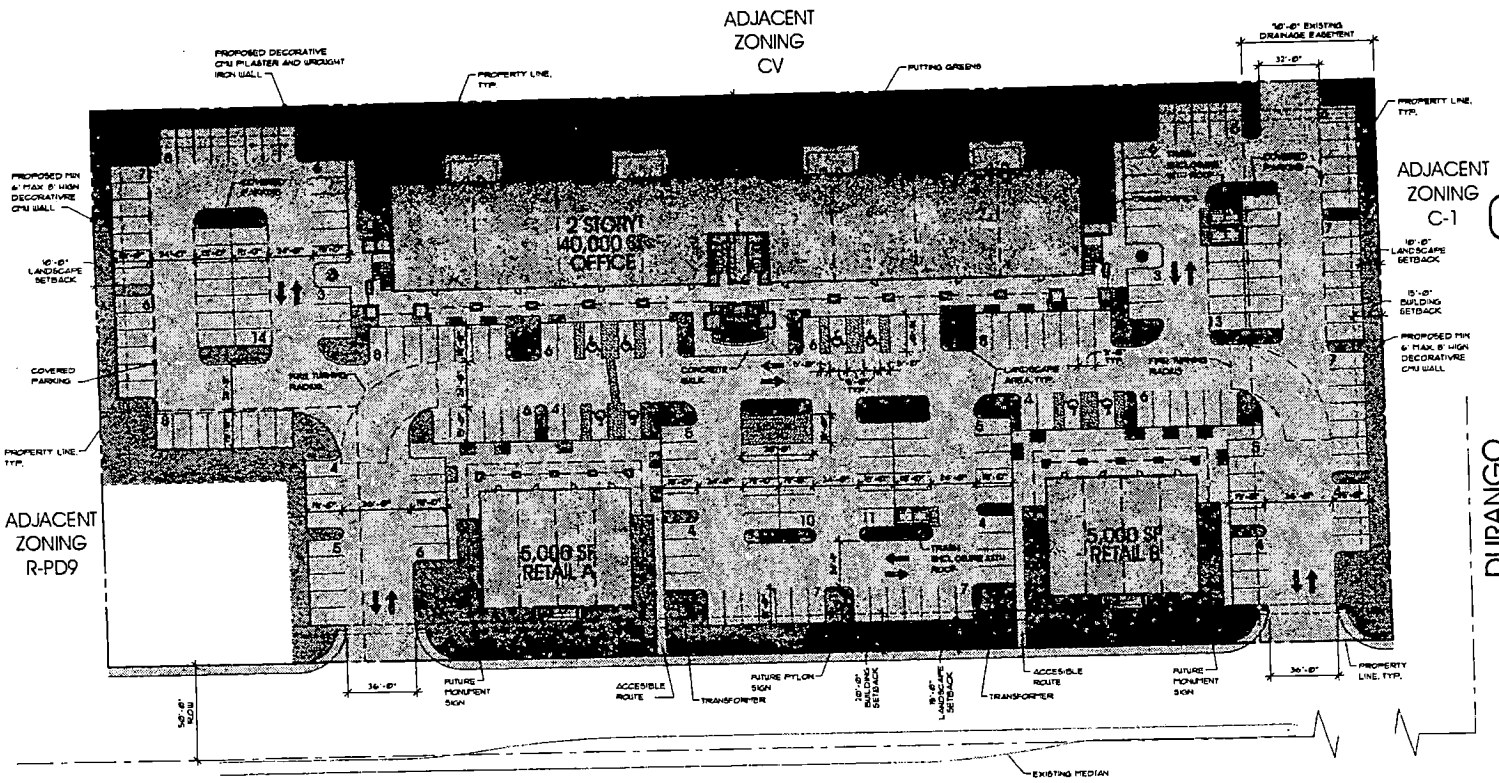
JoAnn Croll

Notary Public in and for said County and State Clark Nevada.

Revised 2/12/02

155685_1

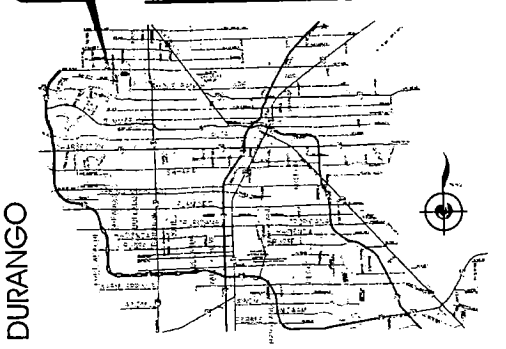
JoANN CROLL
Notary Public State of Nevada
No. 02-79131-1
My appt. exp. Nov. 14, 2006



Site Data

ASSESSORS PARCEL NUMBER (APN)			138-08-801-006 & 007
CURRENT ZONING			C-V
PROPOSED ZONING			C-1
PARCEL AREA			
SITE GROSS		+/- 4.3 ACRES GROSS	190,262 S.F.
BUILDING AREA GROSS			+/- 50,000 S.F.
BUILDING SITE COVERAGE			13.1 PERCENT
PARKING REQUIRED			
OFFICE	(25,000 S.F.)	1/300 S.F.	84 SPACES
MEDICAL/ DENTAL	(15,000 S.F.)	1/175 S.F.	85 SPACES
RETAIL	(10,000 S.F.)	1/175 S.F.	58 SPACES
TOTAL PARKING REQUIRED			227 SPACES
PROVIDED		4.5/1000 S.F.	228 SPACES

Vicinity Map



Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR , SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

North

Site Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park

April 12, 2005

Schematic Design

© Copyright Indigo Architecture, Inc 2005

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

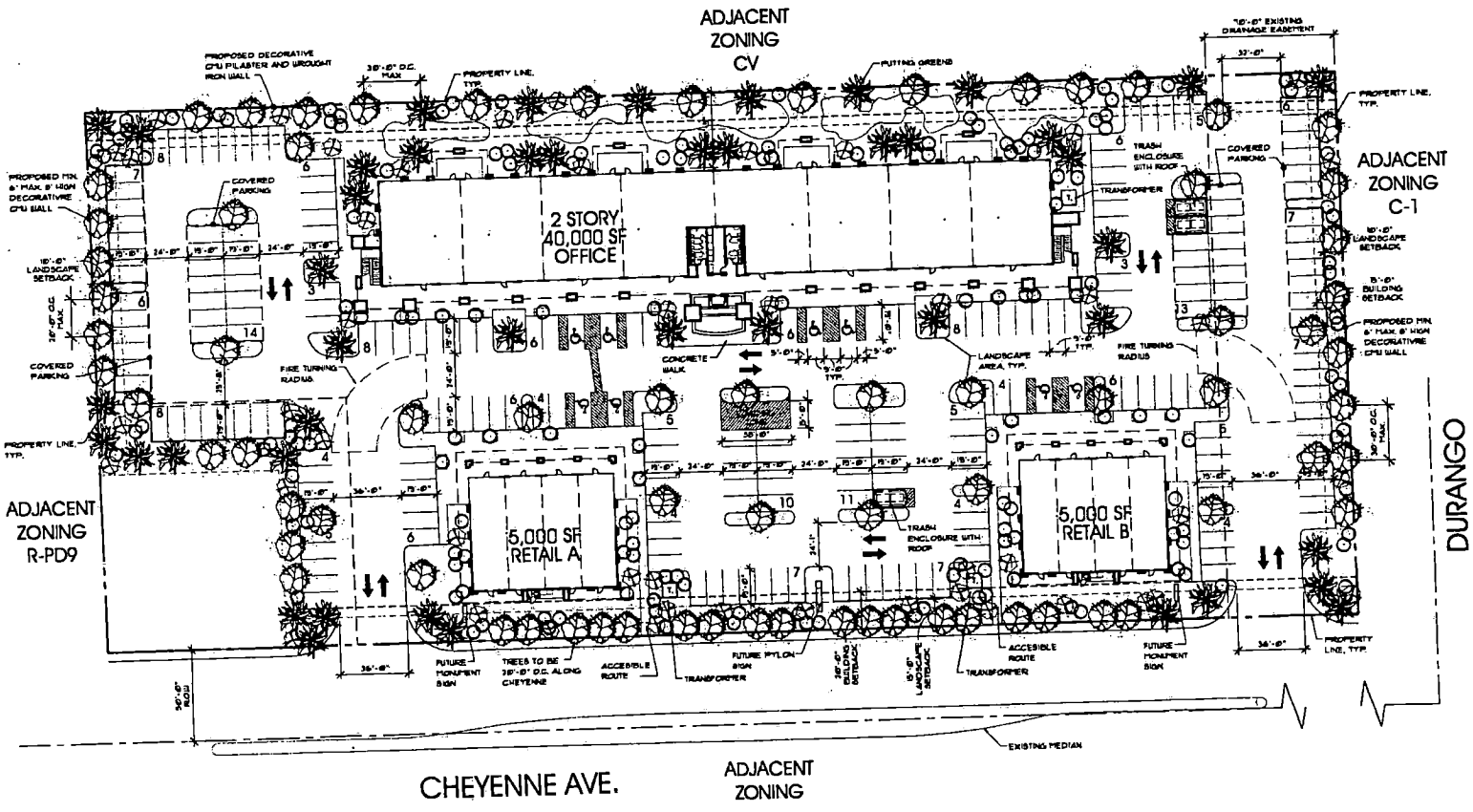
REVISED
4.12.05

Indigo Architecture, Inc.
8370 S. Maryland Pkwy, Ste. 400
Las Vegas, Nevada 89123

City of Las Vegas, Nevada

ZON-6324
SDR-6331
04/28/05 PC

RECEIVED
APR 12 2005



Site Data

ASSESSORS PARCEL NUMBER (APN)	138-09-801-006 & 007
CURRENT ZONING	C-V
PROPOSED ZONING	C-1

PARCEL AREA

SITE GROSS	+/- 4.3 ACRES GROSS 190,282 S.F.
BUILDING AREA GROSS	+/- 50,000 S.F.
TOTAL SITE OPEN SPACE	+/- 140,282 S.F.
TOTAL NEW LANDSCAPING	+/- 44,722 S.F.
SITE LANDSCAPED	23.5 PERCENT
PARKING AREA LANDSCAPED	10.2 PERCENT

Landscape will meet title 19A requirements.

Tree Legend

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	SPACING

Suggested Shrub List

BOTANICAL/COMMON NAME	SIZE	SPACING

Ground Cover

Landscape Area

Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR , SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

North

Landscape Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park

ZON-6324
SDR-6331
04/28/05 PC

April 12, 2005

Schematic Design

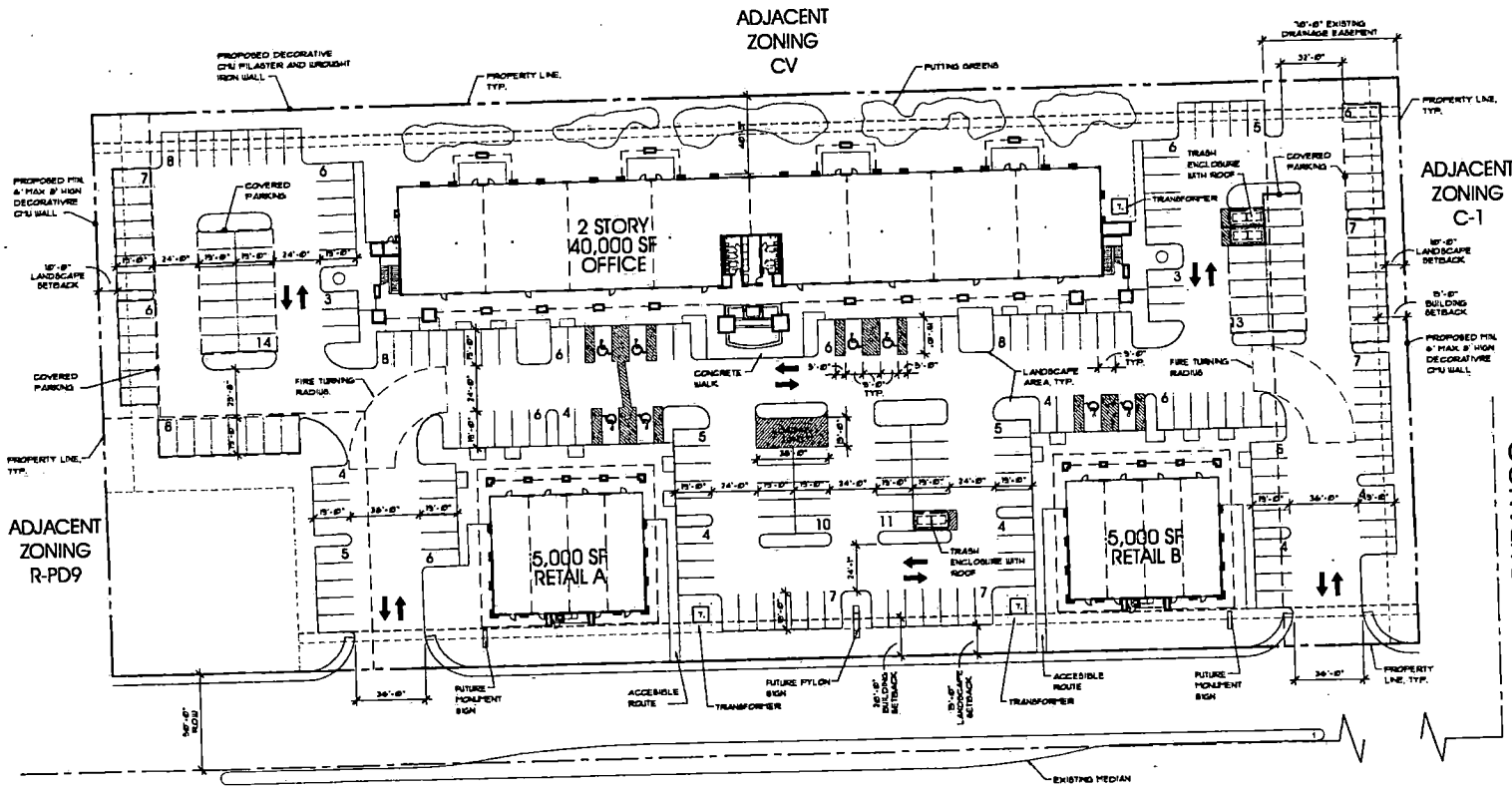
REVISED
4.12.05

RECEIVED
APR 12 2005
City of Las Vegas, Nevada

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

© Copyright Indigo Architecture, Inc 2005

Indigo Architecture, Inc.
8370 S. Maryland Pkwy Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772

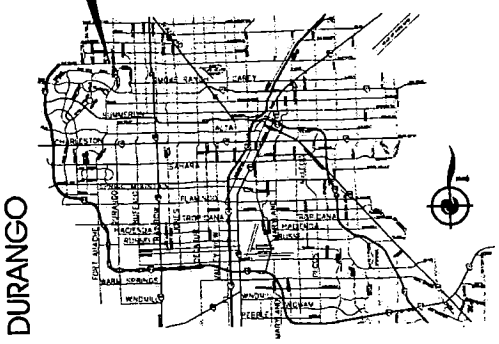


Site Data

ASSESSORS PARCEL NUMBER (APN)		138-08-801-006 & 007
CURRENT ZONING		C-V
PROPOSED ZONING		C-1
PARCEL AREA		
SITE GROSS		+/- 4.3 ACRES GROSS 190,282 S.F.
BUILDING AREA GROSS		+/- 50,000 S.F.
BUILDING SITE COVERAGE		13.1 PERCENT
PARKING REQUIRED		
OFFICE	(25,000 S.F.) 1/300 S.F.	84 SPACES
MEDICAL/ DENTAL	(15,000 S.F.) 1/175 S.F.	85 SPACES
RETAIL	(10,000 S.F.) 1/175 S.F.	58 SPACES
TOTAL PARKING REQUIRED		227 SPACES
PROVIDED		4.5/1000 S.F. 228 SPACES

PROJECT LOCATION

Vicinity Map



Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR , SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

REVISED
4.12.05

North

Site Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park

ZON-6324
SDR-6331
04/28/05 PC

April 12, 2005

Schematic Design

City of Las Vegas, Nevada

RECEIVED
APR 12 2005

© Copyright Indigo Architecture, Inc. 2005

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

Indigo Architecture, Inc.
8990 S. Maryland Pkwy, Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772

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: 702.796.7181

5250 S. Virginia Street
Suite 220
Reno, NV 89502-6000
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 15, 2005

Via Hand Delivery

Don Schmeiser
CITY OF LAS VEGAS
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter – Investment Equity Developers - General Plan Amendment, Site Development Plan Review & Zone Change

Dear Don:

Please be advised this office represents the applicant in the above referenced matter. The proposed project is located on the northwest corner of Durango Drive and Cheyenne Avenue and consists of approximately 4.3 acres. The applicant is requesting a General Plan Amendment from P-R/O-S to S-C, a rezoning from C-V to C-1 and a Site Development Plan Review for a retail office complex.

Immediately adjacent to the proposed project to the north is a golf course, to the east are R-3 and R-PD5 zoned projects, to the south is a planned community and to the west is an RPD9 zoned project. The applicant has designed the project such that the C-1 uses front on Cheyenne while the two-story office building is in the rear adjacent to the golf course. Ingress and egress is located off of Cheyenne.

At the intersection of Cheyenne and Durango, the proposed use is ideal for this location. In addition, the applicant has considered neighboring properties in the design and layout of the buildings and has created a project that is compatible with and will compliment the surrounding area.

Thank you for your kind consideration of this matter. Please contact this office should you have any questions or concerns.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

Tabitha F. Keetch

TFK/lsm

April 18, 2005

Planning Commission
c/o Planning & Development Dpt.
731 South Fourth St.
Las Vegas NV 89101

Ref:GPA-6318, ZON-6324, SDR-6331

Dear Sirs and Mesdames.

We are the owner of the property located at 3205 Cheltenham Street and are in receipt of the proposed requests for development, rezoning and amendments.

We would like to go on record as being opposed to these requests. Inasmuch we value private property rights and the ability of owners to develop their land according to existing zoning laws, we opposed the rezoning of park/recreation land or increasing density. Parks and open land are crucial for maintaining a quality of life for local residents. Increasing commercial density makes for more pollution, more traffic, more accidents and more parking requirements paving over open land.

We bought this property for our retirement and plan to move there eventually. We don't want to see more commercial building next to our complex.

Please have the applicant resubmit a more compatible plan without converting Park and open land and without increasing the present density as allowed by current zoning laws.

Respectfully yours,

Claude Raffin
621 Island View Dr.
Santa Barbara CA 93109

Jon Gathercole

City of Las Vegas

Agenda Item No.: 52

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-6331 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6318 AND ZON-6324 - PUBLIC HEARING - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS - Request for Site Development Plan Review FOR A PROPOSED COMMERCIAL DEVELOPMENT CONSISTING OF A 40,000 SQUARE FOOT, TWO-STORY OFFICE BUILDING AND TWO SINGLE-STORY 5,000 SQUARE FOOT RETAIL BUILDINGS on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 665 feet east of El Capitan Way (APN 138-08-801-006 and 007), C-V (Civic) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 4 (Brown).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED subject to conditions, deleting Condition 5 and amending the following condition:
4. The development shall *be limited to a* maximum of 15,000 square feet of medical office uses.
– UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 50 [GPA-6318] for related discussion on Item 50 [GPA-6318], Item 51 [ZON-6324] and Item 52 [SDR-6331].

(9:24 – 9:31)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 52 – SDR-6331

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6318) and Rezoning (ZON-6324) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 04/12/05, except as amended by conditions herein.

4. The development shall contain a maximum of 15,000 square feet of medical office uses.

5. The development shall not contain a restaurant use.

6. Prior to the time application is made for 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.

7. No walls or structures shall be permitted within the existing drainage easement along the east property line.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box deciduous shade or evergreen trees planted 20 feet on center within the buffer along Cheyenne Avenue and 30 feet on center along the north property line. Evergreen trees shall be planted 20 feet on center within the buffer along the west property line, and 30 feet on center along the east property line. A minimum of four (4) five-gallon shrubs for each 24-inch box tree shall be planted within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers. Perimeter walls or fences, if required, shall be constructed at the back of the landscape planter.

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

CONDITIONS – Continued:

10. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. Any new 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.

14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

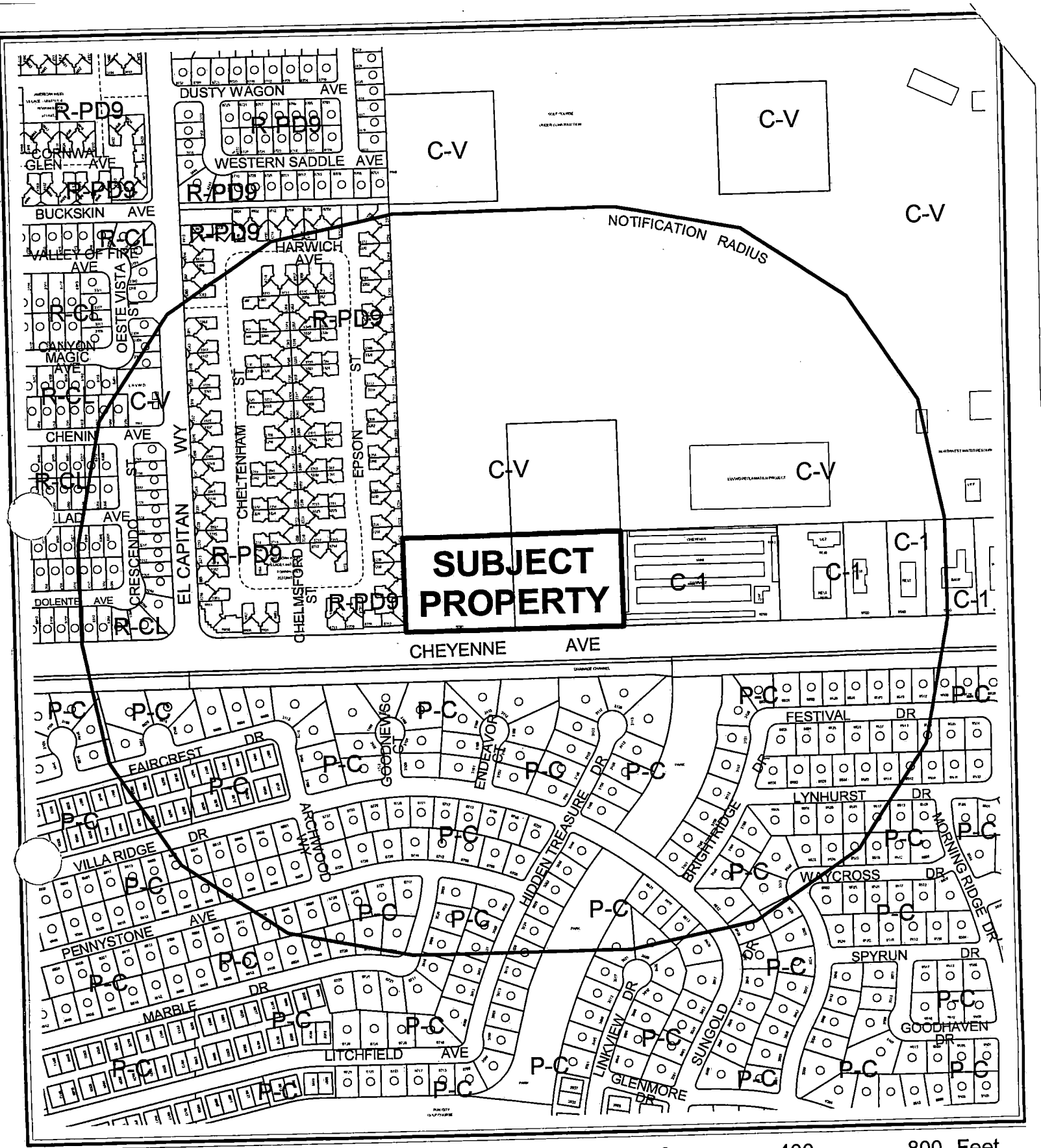
15. All City Code requirements and design standards of all City departments must be satisfied.

Public Works

16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall provide for a 25-foot ingress and egress radius.

18. Site development to comply with all applicable conditions of approval for ZON-6324 and all other subsequent site-related actions.



CASE: **SDR-6331**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY: C-V (CIVIC)

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6331 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A General Plan Amendment (GPA-6318) and Rezoning (ZON-6324) to a C-1 (Limited Commercial) Zoning District approved by the City Council.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 04/12/05, except as amended by conditions herein.

4. The development shall contain a maximum of 15,000 square feet of medical office uses.

5. The development shall not contain a restaurant use.

6. Prior to the time application is made for 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.

7. No walls or structures shall be permitted within the existing drainage easement along the east property line.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box deciduous shade or evergreen trees planted 20 feet on center within the buffer along Cheyenne Avenue and 30 feet on center along the north property line. Evergreen trees shall be planted 20 feet on center within the buffer along the west property line, and 30 feet on center along the east property line. A minimum of four (4) five-gallon shrubs for each 24-inch box tree shall be planted within provided planters along the perimeters. The plan shall also show a minimum of five (5) five-gallon and five (5) one-gallon shrubs for each 24-inch box tree provided within parking lot planter fingers. Perimeter walls or fences, if required, shall be constructed at the back of the landscape planter.

SS

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

10. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.

11. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development. Turfed areas shall not exceed a maximum of 12.5% of the total landscapable area.

12. All mechanical equipment, air conditioners and trash areas shall be fully screened in views from the abutting streets.

13. Any new 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.

14. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

16. Construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site; the connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network; the connecting sidewalk shall be terminated on-site with a handicap ramp.

17. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222a and shall provide for a 25-foot ingress and egress radius.

18. Site development to comply with all applicable conditions of approval for ZON-6324 and all other subsequent site-related actions.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed commercial development consisting of a 40,000 square foot, two-story office building and two single-story 5,000 square foot retail buildings on 4.22 acres adjacent to the north side of Cheyenne Avenue, approximately 635 feet east of El Capitan Way.

B) Applicant's Justification

The applicant justifies this request by stating that the project is compatible with surrounding development.

BACKGROUND INFORMATION

A) Previous Actions

01/1991 The City Council approved the Annexation (A-0002-91) of lands north of Cheyenne Avenue, west of Durango Drive, including the east half of the subject property.

06/15/94 The City Council approved a Rezoning (Z-0004-94) from N-U (Non-Urban) to R-PD9 (Residential Planned Development – 9 units per acre) on 21.42 acres adjacent to the northeast corner of Cheyenne Avenue and El Capitan Way, to the west of the subject property. The Planning Commission and staff recommended approval.

10/27/94 The Planning Commission approved the Annexation (A-0027-94) of lands north of Cheyenne Avenue, west of Durango Drive, including the west half of the subject property.

12/20/95 The City Council approved a Rezoning (Z-0087-95) from N-U (Non-Urban) to C-1 (Limited Commercial) on the west 2.5 acres of this site (including area dedicated for right-of-way). The Planning Commission and staff recommended approval.

04/28/97 The City Council approved a General Plan Amendment (GPA-0013-97) from SC (Service Commercial) to PF (Public Facilities) on the subject site as part of a larger request. A Rezoning to C-V (Civic) on the subject site was also approved as part of a larger request (Z-0022-97). The Planning Commission and staff recommended approval.

SS

01/25/01 The Planning Commission approved a Site Development Plan Review [Z-0022-97(1)] for a proposed 9.3-acre city park and a golf course with ancillary maintenance facility, club house, and golf cart storage on 102.5 acres north of the subject site. Staff recommended approval.

04/28/05 The Planning Commission will consider companion items for a General Plan Amendment (GPA-6318) from PR-OS (Park/Recreation/Open Space) to SC (Service Commercial) and a Rezoning (ZON-6324) from C-V (Civic) to C-1 (Limited Commercial) on the subject site. Staff recommends approval of all items.

B) Pre-Application Meeting

03/01/05 Staff and the applicant discussed parking and landscaping requirements. The applicant was advised to revise the site plan to move parking spaces away from access points.

C) Neighborhood Meetings

04/07/05 A neighborhood meeting was held at the J.W. Marriott Hotel with one property owner in attendance. Concerns raised by the neighbor included the width of traffic aisles in the parking area, possible easements along the east side of the property, and the lack of deceleration lanes in Cheyenne Avenue.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres:	4.22 (5.0 to centerline of Cheyenne Avenue)
Net Acres:	4.22

B) Existing Land Use

Subject Property:	Well site
North:	Golf Course
South:	Single Family Detached Dwellings
East:	Mini-Warehouse
West:	Single Family Attached Dwellings

C) Planned Land Use

Subject Property:	PR-OS (Park/Recreation/Open Space)
North:	PR-OS (Park/Recreation/Open Space)
South:	ML (Medium-Low Density Residential)
East:	SC (Service Commercial)
West:	ML (Medium-Low Density Residential)

SS

D) Existing Zoning

Subject Property:	C-V (Civic)
North:	C-V (Civic)
South:	P-C (Planned Community)
East:	C-1 (Limited Commercial)
West:	R-PD9 (Residential Planned Development – 9 units per acre)

E) General Plan Compliance

The Centennial Hills Interlocal Land Use Plan of the General Plan designates this property as PR-OS (Park/Recreation/Open Space). Large public parks and recreation areas such as golf courses, trails, drainage easements and detention basins are typical uses allowed within the PR-OS designation. The existing C-V (Civic) zoning district is compatible with this land use category. The applicant is proposing to amend the land use plan to SC (Service Commercial) to accommodate the retail and office uses proposed for this site and to allow the appropriate C-1 (Limited Commercial) zoning. The proposed site plan would be compatible with such a change if approved.

PROJECT DESCRIPTION

The two retail buildings are situated at the Cheyenne Avenue frontage and face the interior of the development. The office building will contain 15,000 square feet of medical and dental office uses with the balance to be used for general offices. Access to the development is from two driveways off of Cheyenne Avenue. A total of 234 parking spaces is provided, with the spaces located to the sides of the retail buildings and in front of the office building. Trash enclosures are located on either side of the property, and three loading zones have been provided to facilitate deliveries. Ample landscape buffers are shown around the perimeter of the development. The rear buffer, which borders the Durango Hills Golf Course to the north, contains additional landscaping and five private putting greens. The site plan indicates that one pylon sign will be located along Cheyenne Avenue at the center of the development, with one monument sign situated at each entrance. The buildings contain compatible architecture and consist of cement plaster with stone columnar accents and gabled concrete tile roofs. The rear of the office building features four metal canopies, while each side has an open stairway covered by a canopy with the same roof design and materials as the building.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required C-1	Provided	Compliance
Min. Lot Size	N/A	4.22 acres	N/A
Min. Lot Width	100 Feet	679 Feet	Y
Min. Setbacks • Front (Cheyenne Ave.) • Side • Corner • Rear	 20 Feet 10 Feet 15 Feet 20 Feet	 20 Feet 102 Feet N/A 27 Feet	 Y Y N/A Y
Max. Lot Coverage	50 %	13 %	Y
Max. Building Height	None	48 Feet*	N/A
Trash Enclosure	Walled, gated, roofed	Walled, gated	N
Loading Zone	One space	one space	Y
Mech. Equipment	Screened	Landscape screening	Y

* Height of buildings in the C-1 zoning district may be limited by Residential Adjacency Standards.

All Commercial Development Standards pertaining to the C-1 (Limited Commercial) Zoning District are either met or exceeded by the proposed development.

A2) Residential Adjacency Standards

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

a) Proximity slope. The proposed retail buildings are set back approximately 170 feet from property to the south planned and zoned for single family residential use. At this distance, the buildings are approximately 22 feet tall. The proposed office building is set back approximately 155 feet from existing single family properties to the west. At this distance, the office building is approximately 48 feet tall. These buildings therefore meet the 3:1 Proximity Slope requirement.

b) Building setback. The single family development to the south of the subject property requires 15-foot rear yard setbacks. The proposed retail buildings are set back 20 feet from the south property line. The attached single family development to the west requires five-foot rear yard setbacks. The proposed office building is set back 155 feet from the west property line. All buildings therefore meet the building setback component of the Residential Adjacency Standards.

A3) Parking and Traffic Standards

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

Uses	GFA	Required			Provided	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
General Retail, less than 25,000 SF	10,000 SF	1 space per 175 SF GFA	58			
Office, General	25,000 SF	1 space per 300 SF GFA	84			
Office, Medical and Dental	15,000 SF	1 space per 200 SF for the first 2000 SF; 1 space per 175 SF thereafter	85			
TOTAL	50,000 SF		220	7	220	8

The proposed development exceeds the number of parking spaces required by Title 19, providing a total of 234 spaces. However, as the amount of parking provided is very close to what is already required, the types of uses may be limited so as not to create an artificial parking shortage.

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 (167 uncovered spaces)	1 Trees/6 Spaces + half of trees at ends of rows	51 (28 + 23) Trees	36 Trees
Buffer:			
• Min. Trees (Cheyenne)	1 – 24" Box Tree/20 Linear Feet	24 Trees	24 Trees
• Min. Trees (north/east PL)	1 – 24" Box Tree/30 Linear Feet	33 Trees	29 Trees
• Min. Trees (west PL)	1 – 24" Box Tree/20 Linear Feet	10 Trees	8 Trees
• Min. Zone Width (Cheyenne Ave.)	15 Feet		15 Feet
• Min Zone Width (sides/rear)	8 Feet		10 Feet
• Wall height (west PL)	min. 6 Feet		max. 8 Feet
• Wall height (south, north & east PL)	Not required (max. 6 Feet if proposed)		max. 8 Feet

SS

The conceptual landscape plan indicates that the parking area is missing 24-inch box shade trees, particularly at the ends of most parking rows. Trees are missing along the north, east and west perimeter buffers. Several of these trees are not of the deciduous or evergreen variety as required by the Landscape, Wall and Buffer Standards. Approximately 4,600 square feet of the landscaped area consists of turf, which is below the maximum 12.5% (5,590 square feet) allowed by Title 19. The applicant has indicated that the development will comply with all landscaping codes.

A5) Sign Standards

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

Freestanding Signs:		
Standards	**Allowed**	**Provided**
Maximum Number	1 / 200 Feet street frontage 3 total	1 total
Maximum Area	2 SF per linear foot of street frontage	Not indicated
Maximum Height	40 Feet	Not indicated
Minimum Setback	5 Feet	10 Feet
Illumination	Internal, External, Animated, and Electronic Message Unit	Not indicated

Monument Signs:		
Standards	**Allowed**	**Provided**
Maximum Number	1 / 200 Feet street frontage 3 total	2 total
Maximum Area	75 SF/sign	Not indicated
Maximum Height	10 Feet	Not indicated
Minimum Setback	5 Feet	10 Feet
Illumination	Internal, External, Animated, and Electronic Message Unit	Not indicated

Wall Signs:		
Standards	**Allowed**	**Provided**
Maximum Number	Based on maximum area	43 total
Maximum Area	20% of each building elevation/tenant area	Not indicated
Maximum Projection	4 Feet	Not indicated
Illumination	Internal, External, Animated, and Electronic Message Unit	Not indicated

SS

A combination of three freestanding and monument signs are permitted along the Cheyenne Avenue frontage. The site plan indicates that monument signs will be placed at the two entrances and a freestanding pylon sign will be placed at the center of the development. All signage will be subject to the regulations in Title 19.14, including Residential Protection Standards.

B) General Analysis and Discussion

- Zoning

The subject property is currently zoned C-V (Civic), which allows for public and quasi-public uses such as schools, churches, parks, municipal and public utility facilities. The applicant has requested a companion Rezoning (ZON-6324) to change this zoning designation to C-1 (Limited Commercial) to allow retail and office uses on the site. This is predicated on the approval of a General Plan Amendment from PR-OS (Park/Recreation/Open Space) to SC (Service Commercial).

- Site Plan

The plan indicates that driveways will not be aligned with existing cuts in the Cheyenne Avenue median. Construction drawings will need to show a wider median cut to improve access. Left turns exiting the property will only be permitted at the east driveway. The amount of parking provided is just greater than what is required by code. This does not leave much room for more intense uses on the site. Conditions of approval are therefore included that cap the medical office space at 15,000 square feet and prohibit restaurants. The loading zone shown on the site plan is sufficient to serve the retail buildings, but two are ideal. The loading zone should be closer to one of the buildings. A 70-foot drainage easement is shown along the east property line. No walls can be constructed within the easement and no wall is mandatory separating the property from the adjacent mini-storage site. As no waivers have been requested for the project, the development will be required to meet all Commercial Development Standards to gain approval. A low wrought iron fence is encouraged along the landscape buffer separating the subject property from the golf course.

- Waivers

No waivers are requested as part of this Site Development Plan Review.

- Landscape Plan

The conceptual landscape plan shows 10-15 foot Phoenix Date Palms in the perimeter buffer as well as in the parking area. These trees are unacceptable because they cannot provide the shade necessary along sidewalks and are ineffective in reducing heat levels created by paved parking areas. The required number of deciduous or evergreen trees can be achieved with the proper spacing interval suggested by code. Additional shade

trees should be provided at the end of all parking rows to comply with Commercial Development Standards. Foundation landscaping is acceptable as shown, since arcades are provided between the buildings and the parking area.

- Elevation

  The proposed buildings contain well-articulated facades that provide visual interest. Stone veneer accents and decorative wall lighting are suitable for this area and give the buildings aesthetic appeal. Rooflines are varied, especially on the office building, which serves to break up the long rectilinear form into several smaller components. These buildings will be compatible with the character of the area.

- Floor Plan

  The office building features eight offices on each floor with an average area of 2,500 square feet each. The second floor offices are provided with deck areas overlooking the golf course and putting greens. Approximately 15,000 square feet will be reserved for medical office uses. Each retail building contains four 1,250 square foot 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 retail and office development would be located next to an existing mini-warehouse to the east and a public golf course to the north, both desirable and compatible uses. The development should have little impact on existing single-family residential development south of Cheyenne Avenue, since these homes do not have direct access to this major street. Single-family development to the west will be screened from the proposed development.

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

   With the approval of a General Plan Amendment (GPA-6318) to an SC (Service Commercial) land use designation and a Rezoning (ZON-6324) to C-1 (Limited Commercial), the proposed retail and office development will be consistent with the General Plan. Implementation of the conditions of approval will ensure conformance to Title 19 and the Landscape, Wall and Buffer Standards.

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

   Driveways should line up with median gaps in Cheyenne Avenue. Traffic in the neighborhood should not be negatively impacted by circulation around the site, which is logical given the building layout.

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

   Building materials include cement plaster, stone veneer and concrete tile, which are appropriate for the area. The palm trees in the front and side perimeter buffer areas and in the parking area do not provide adequate shade and are therefore unacceptable where shown on the site. Other planting materials are acceptable as depicted.

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 design is compatible with other area development. Decorative wall lighting and canopies on the buildings and the addition of putting greens add some interesting architectural character to the site. Trash enclosures and light standards should complement the main buildings.

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

   The project is subject to regular inspection by public agencies for permitting and licensing, thereby safeguarding the welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 12

NOTICES MAILED 399 [Mailed with GPA-6318 and ZON-6324]

APPROVALS 0

PROTESTS 1

SS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6331 APN: 138-08-801-006 & 007

Name of Property Owner: City of Las Vegas

Name of Applicant: Investment Equity Builders (Marc Cummings)

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: 138-08-801-006 & 007

Signature of Property Owner/Authorized Agent: K. John McNellis 3/24/05

Print Name: K. John McNellis

Subscribed and sworn before me

This 24th day of March, 2005

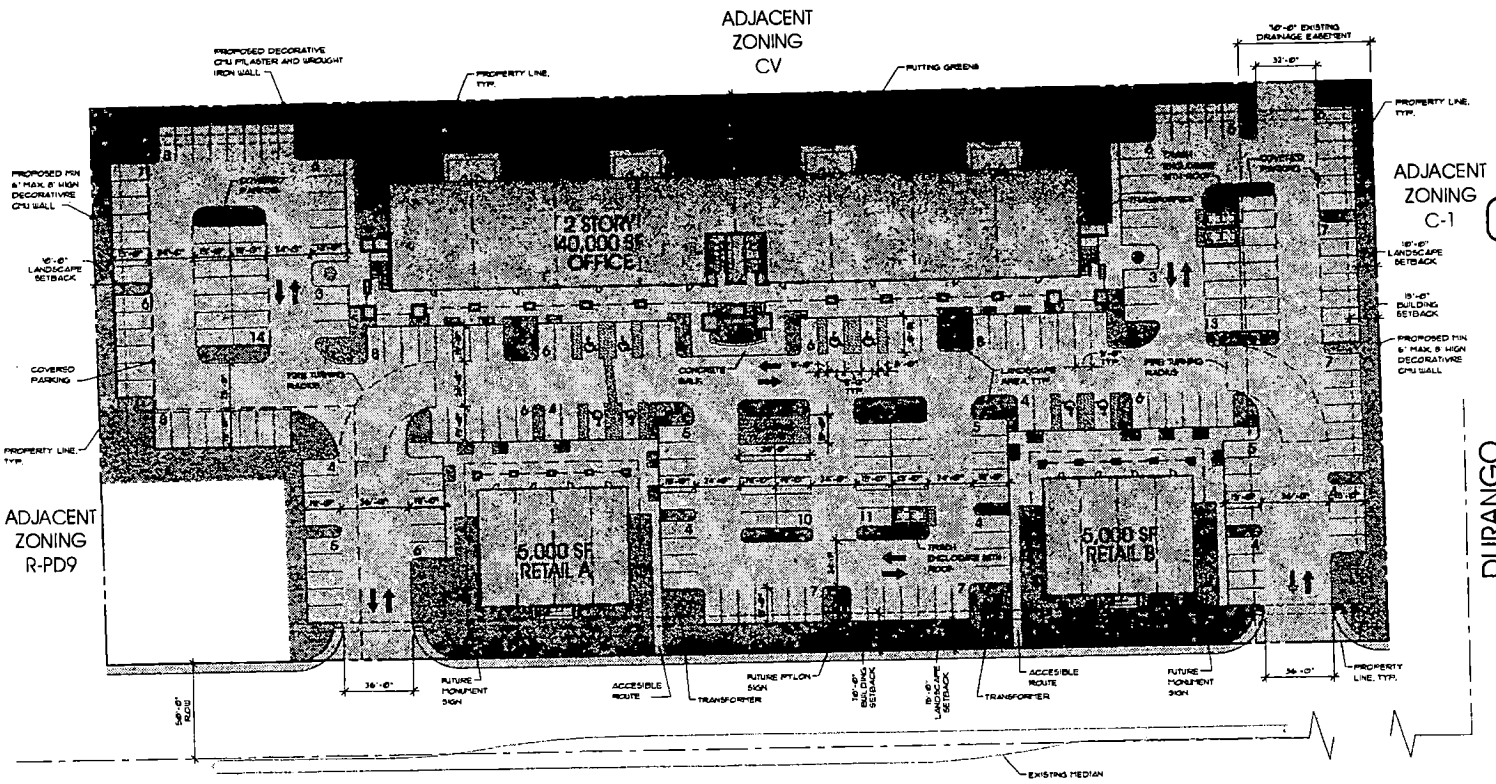
JoAnn Crolli

Notary Public in and for said County and State Clark Nevada

Revised 2/12/02

155665_1

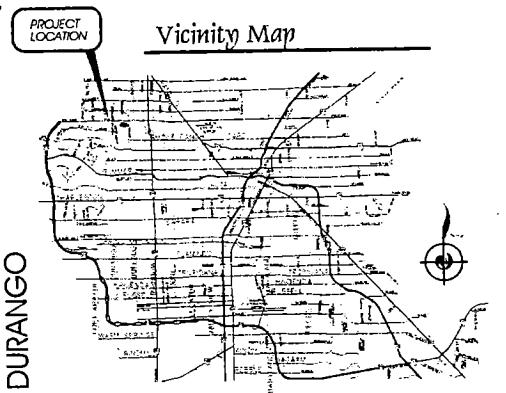
JoANN CROLLI
Notary Public State of Nevada
No. 02-79131-1
My appt. exp. Nov. 14, 2006



Site Data

ASSESSORS PARCEL NUMBER (APN)		138-08-801-006 & 007
CURRENT ZONING		C-V
PROPOSED ZONING		C-1
PARCEL AREA		
SITE GROSS	+/- 4.3 ACRES GROSS	190,282 S.F
BUILDING AREA GROSS		+/- 50,000 S.F
BUILDING SITE COVERAGE		13.1 PERCENT
PARKING REQUIRED		
OFFICE	(25,000 S.F.) 1/300 S.F.	84 SPACES
MEDICAL/ DENTAL	(15,000 S.F.) 1/175 S.F.	85 SPACES
RETAIL	(10,000 S.F.) 1/175 S.F.	58 SPACES
TOTAL PARKING REQUIRED		227 SPACES
PROVIDED	4.5/1000 S.F	228 SPACES

Vicinity Map



Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR , SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

North

Site Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park

April 12, 2005

Schematic Design

© Copyright Indigo Architecture, Inc 2005

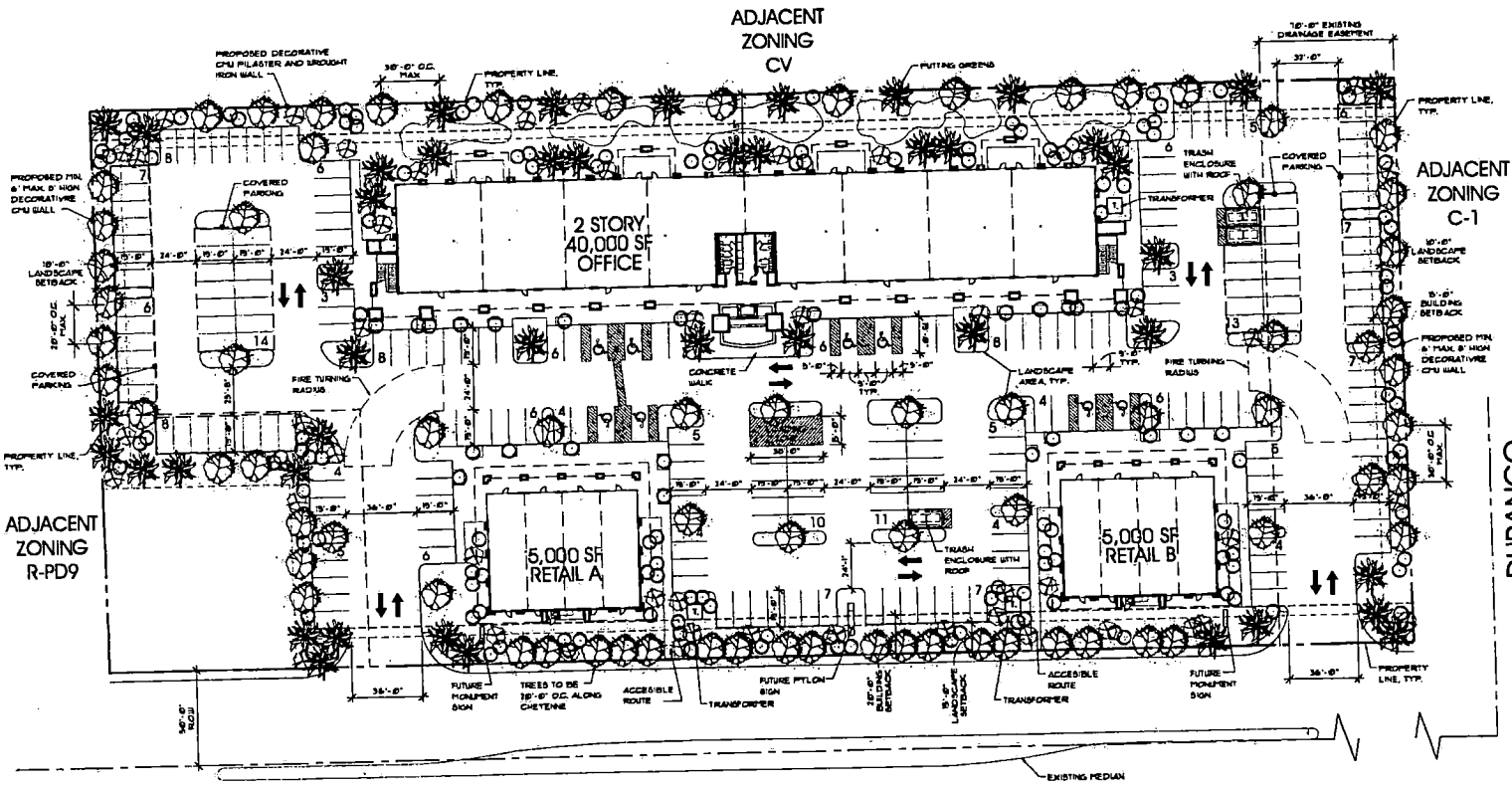
Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

REVISED 4.12.05

Indigo Architecture, Inc.
8370 W. Flamingo Rd., Ste. 100
Las Vegas, Nevada 89147

City of Las Vegas
RECEIVED
APR 12 2005

ZON-6324
SDR-6331
04/28/05 PC



Site Data

ASSESSORS PARCEL NUMBER (APN)	138-08-801-006 & 007
CURRENT ZONING	C-V
PROPOSED ZONING	C-1

PARCEL AREA	
SITE GROSS	+/- 4.3 ACRES GROSS 190,282 S.F.
BUILDING AREA GROSS	+/- 50,000 S.F.
TOTAL SITE OPEN SPACE	+/- 140,282 S.F.
TOTAL NEW LANDSCAPING	+/- 44,722 S.F.
SITE LANDSCAPED	23.5 PERCENT
PARKING AREA LANDSCAPED	10.2 PERCENT

Landscape will meet title 19A requirements.

Tree Legend

SYMBOL	BOTANICAL/COMMON NAME	SIZE	QUANTITY	REMARKS
	PHOENIX SPECIES DATE PALM	18'-35'	45	AS SHOWN ON PLAN
	E. VILLOSITAS PODESTO/ PODESTO ASH	24" BOX	88	AS SHOWN ON PLAN

Suggested Shrub List

BOTANICAL/COMMON NAME	SIZE	SPACING
ACACIA REDOLENS 'DESERT CARPET' - DESERT CARPET ACACIA	5 GAL.	
AGAVE PARRYI VERSCHAFFELTII - BLUE AGAVE	5 GAL.	
HESPERALOE PARVIFLORA - RED YUCCA	5 GAL.	
LEUCOPHYLLUM ZYGOPHYLLUM 'CIMARRON' - BLUE RAIN SAGE	5 GAL.	60" PTR
PUNICA GRANATUM CAPPELLI AKA 'SMALL FRUIT' - SMALL FRUIT DWF POMEGRANATE	5 GAL.	5'-0" LENGTH
RUSSELIA EQUISETIFORMIS - CORAL FOUNTAIN	5 GAL.	OF PLANTER
SALVIA GREGGII 'RADICAL' - RADICAL MAGENTA	5 GAL.	
SALVIA GREGGII 'WILD THING' - WILD THING	5 GAL.	
SALVIA GREGGII 'CIMARRON' - CIMARRON SAGE	5 GAL.	
TECOMA CAPENSIS 'HYBRID' - HYBRID	5 GAL.	

Ground Cover

DECOMPOSED GRANITE, 1/2" FINISH UNDER ALL TREES AND SHRUBS

Landscape Area

+/- 44,722 SF. OF LANDSCAPE AREA PROVIDED
+/- 42,895 SF. OF LANDSCAPE TURF AREA PROVIDED

Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR, SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

North

Landscape Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park ZON-6324

April 12, 2005

Schematic Design

SDR-6331
04/28/05 PC

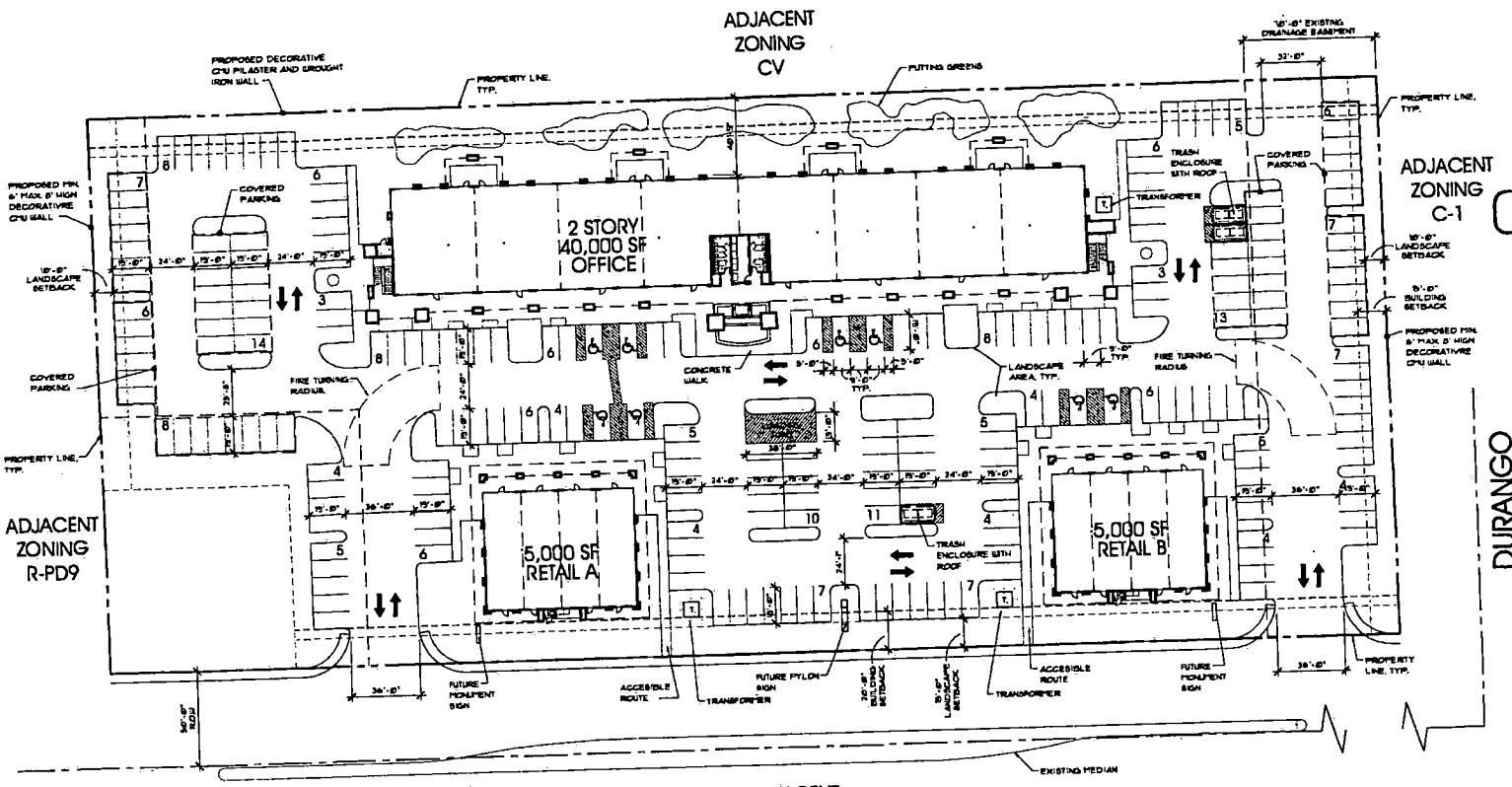
REVISED
4.12.05

RECEIVED
APR 12 2005
City of Las Vegas, Nevada

© Copyright Indigo Architecture, Inc. 2005

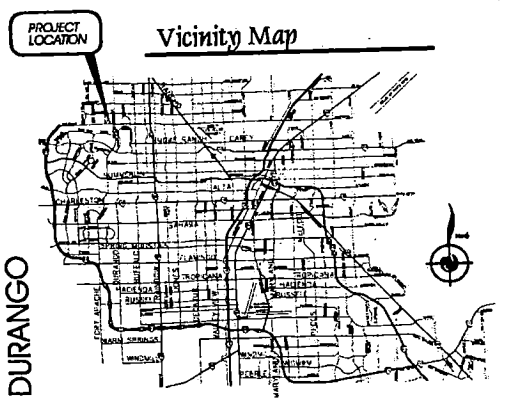
Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

Indigo Architecture, Inc.
8950 S. Maryland Pkwy. Ste. 200
Las Vegas, Nevada 89123
(702) 456-2772



Site Data

ASSESSORS PARCEL NUMBER (APN)			138-08-801-006 & 007
CURRENT ZONING			C-V
PROPOSED ZONING			C-1
PARCEL AREA			
SITE GROSS			+/- 4.3 ACRES GROSS 190,282 S.F.
BUILDING AREA GROSS			+/- 50,000 S.F.
BUILDING SITE COVERAGE			13.1 PERCENT
PARKING REQUIRED			
OFFICE	(25,000 S.F.)	1/300 S.F.	84 SPACES
MEDICAL/ DENTAL	(15,000 S.F.)	1/175 S.F.	85 SPACES
RETAIL	(10,000 S.F.)	1/175 S.F.	58 SPACES
TOTAL PARKING REQUIRED			227 SPACES
PROVIDED			4.5/1000 S.F. 228 SPACES



Owner / Developer

INVESTMENT EQUITY DEVELOPERS
4560 S. DECATUR , SUITE 200
LAS VEGAS, NEVADA 89103
DAVID L. INMAN (702) 871-4545

REVISED
4.12.05

North

Site Plan

Scale: 1" = 30'-0"

Cheyenne Fairway Office Park

ZON-6324
SDR-6331
04/28/05 PC

April 12, 2005

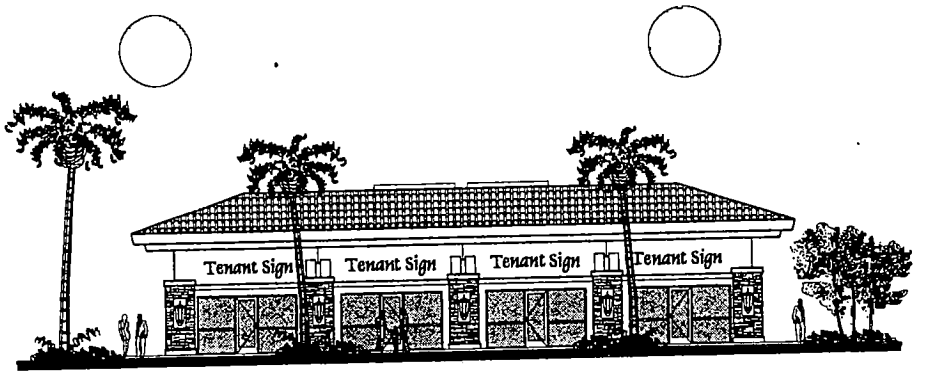
Schematic Design

© Copyright Indigo Architecture, Inc. 2005

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

RECEIVED
City of Las Vegas, Nevada
APR 12 2005

Indigo Architecture, Inc.
8990 S. Maryland Pkwy, Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772



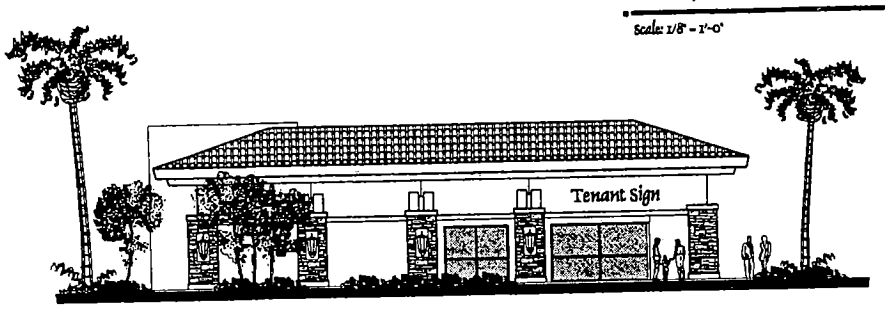
North Elevation (Store Entry)

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

PT-1 Frazee: Cinnamon Spice 8254M

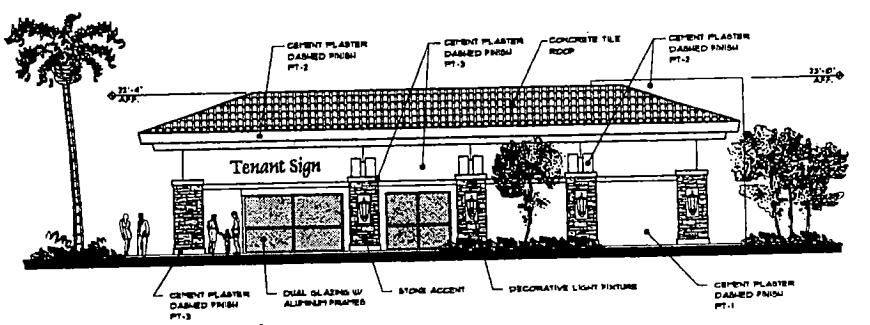
PT-2 Frazee: Harvest Tan 7753M

PT-3 Frazee: Beach Grass 7751W



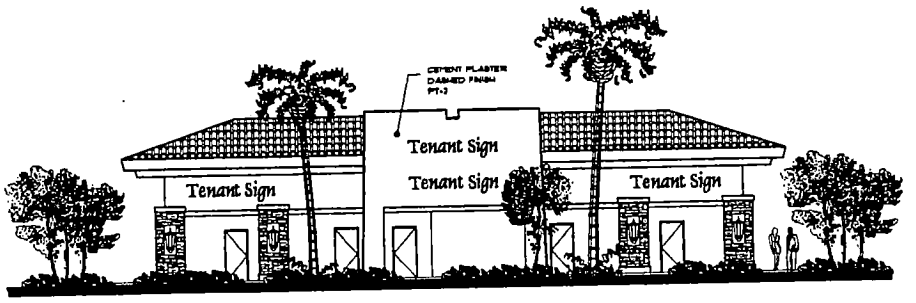
West Elevation

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



East Elevation

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



South Elevation (Cheyenne Ave.)

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

Cheyenne Fairway Office Park (5,000 sf Retail Building A & B)

March 9, 2005

Schematic Design

City of Las Vegas, Nevada

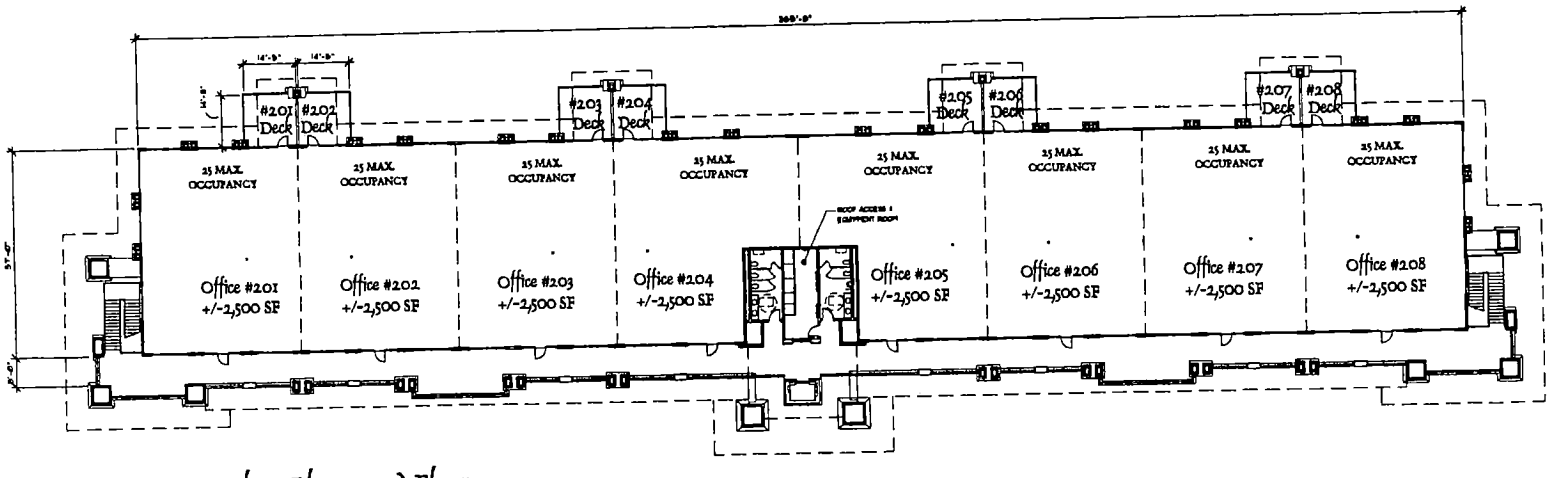
SDR-6331

04/28/05 PC

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

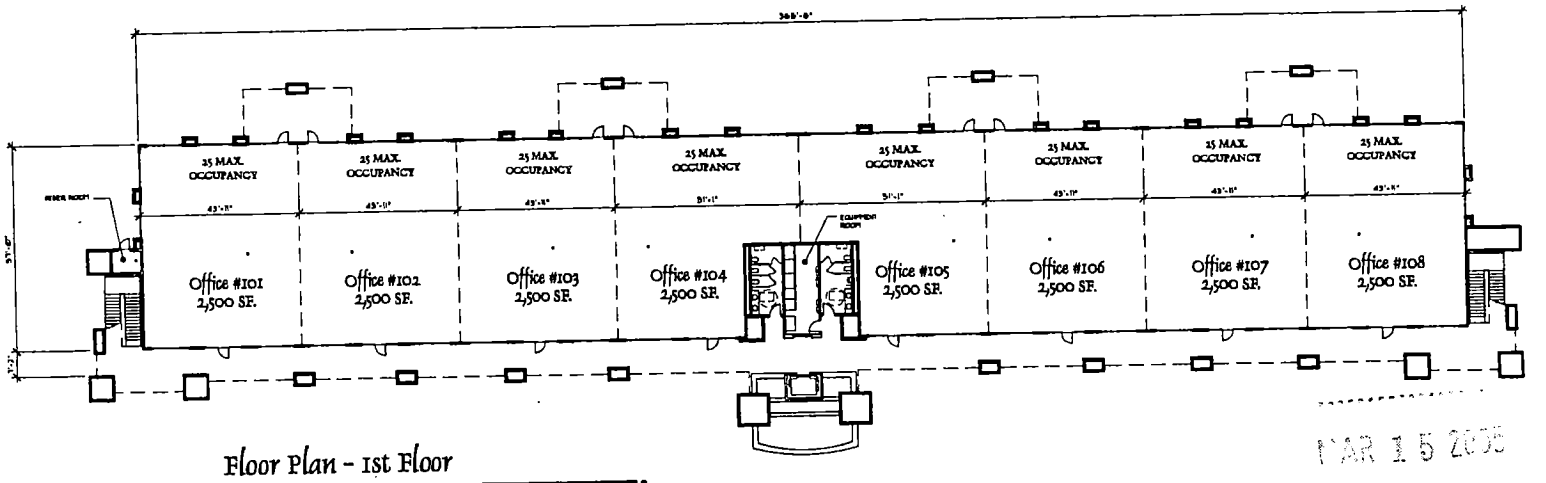
© Copyright Indigo Architecture, Inc. 2005

Indigo Architecture, Inc.
8990 S. Maryland Pkwy Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772



Floor Plan - 2nd Floor

Scale: 1/16" = 1'-0"



Floor Plan - 1st Floor

Scale: 1/16" = 1'-0"

MAR 15 2005

North

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

Cheyenne Fairway Office Park

City of Las Vegas, Nevada

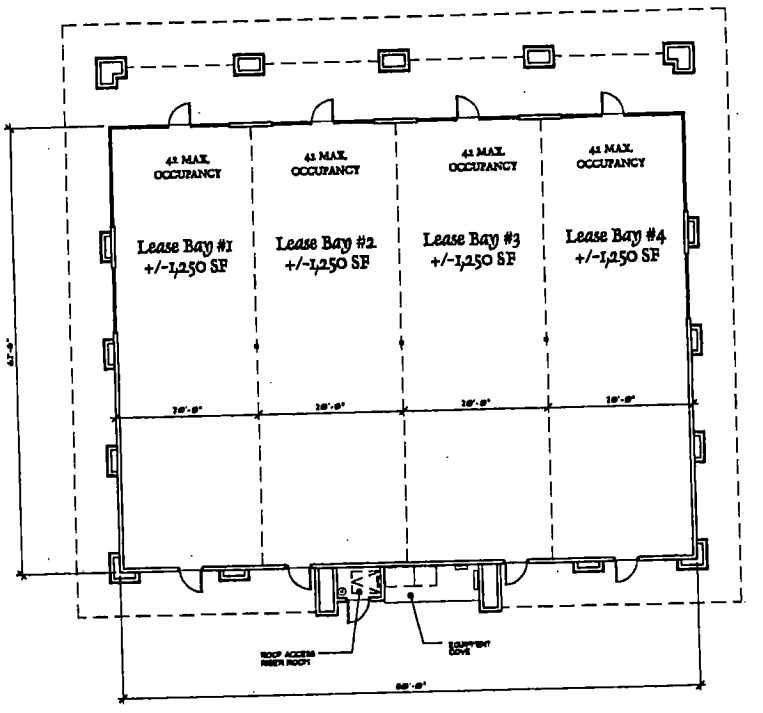
March 9, 2005

Schematic Design

© Copyright Indigo Architecture, Inc. 2005

SDR-6331
04/28/05 PC

Indigo Architecture, Inc.
8990 S. Maryland Pkwy Ste. 400
Las Vegas, Nevada 89123
(702) 456-2772



MAR 15 2005

Floor Plan

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

North

Note: This design is Conceptual in Nature and No Guarantee of its accuracy is implied.

Cheyenne Fairway Office Park (5,000 sf Retail Building A & B)

March 9, 2005

Schematic Design

City of Las Vegas, Nevada

© Copyright Indigo Architecture, Inc. 2005

SDR-6331
04/28/05 PC

Indigo Architecture, Inc.
8990 S. Maryland Pkwy Ste 400
Las Vegas, Nevada 89123
(702) 456-1772

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: 702.796.7181

5250 S. Virginia Street
Suite 220
Reno, NV 89502-6000
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

TABITHA F. KEETCH
tkeetch@kkbr.com

March 15, 2005

Via Hand Delivery

Don Schmeiser
CITY OF LAS VEGAS
731 South Fourth Street
Las Vegas, Nevada 89101

Re: Justification Letter – Investment Equity Developers - General Plan Amendment, Site Development Plan Review & Zone Change

Dear Don:

Please be advised this office represents the applicant in the above referenced matter. The proposed project is located on the northwest corner of Durango Drive and Cheyenne Avenue and consists of approximately 4.3 acres. The applicant is requesting a General Plan Amendment from P-R/O-S to S-C, a rezoning from C-V to C-1 and a Site Development Plan Review for a retail office complex.

Immediately adjacent to the proposed project to the north is a golf course, to the east are R-3 and R-PD5 zoned projects, to the south is a planned community and to the west is an RPD9 zoned project. The applicant has designed the project such that the C-1 uses front on Cheyenne while the two-story office building is in the rear adjacent to the golf course. Ingress and egress is located off of Cheyenne.

At the intersection of Cheyenne and Durango, the proposed use is ideal for this location. In addition, the applicant has considered neighboring properties in the design and layout of the buildings and has created a project that is compatible with and will compliment the surrounding area.

Thank you for your kind consideration of this matter. Please contact this office should you have any questions or concerns.

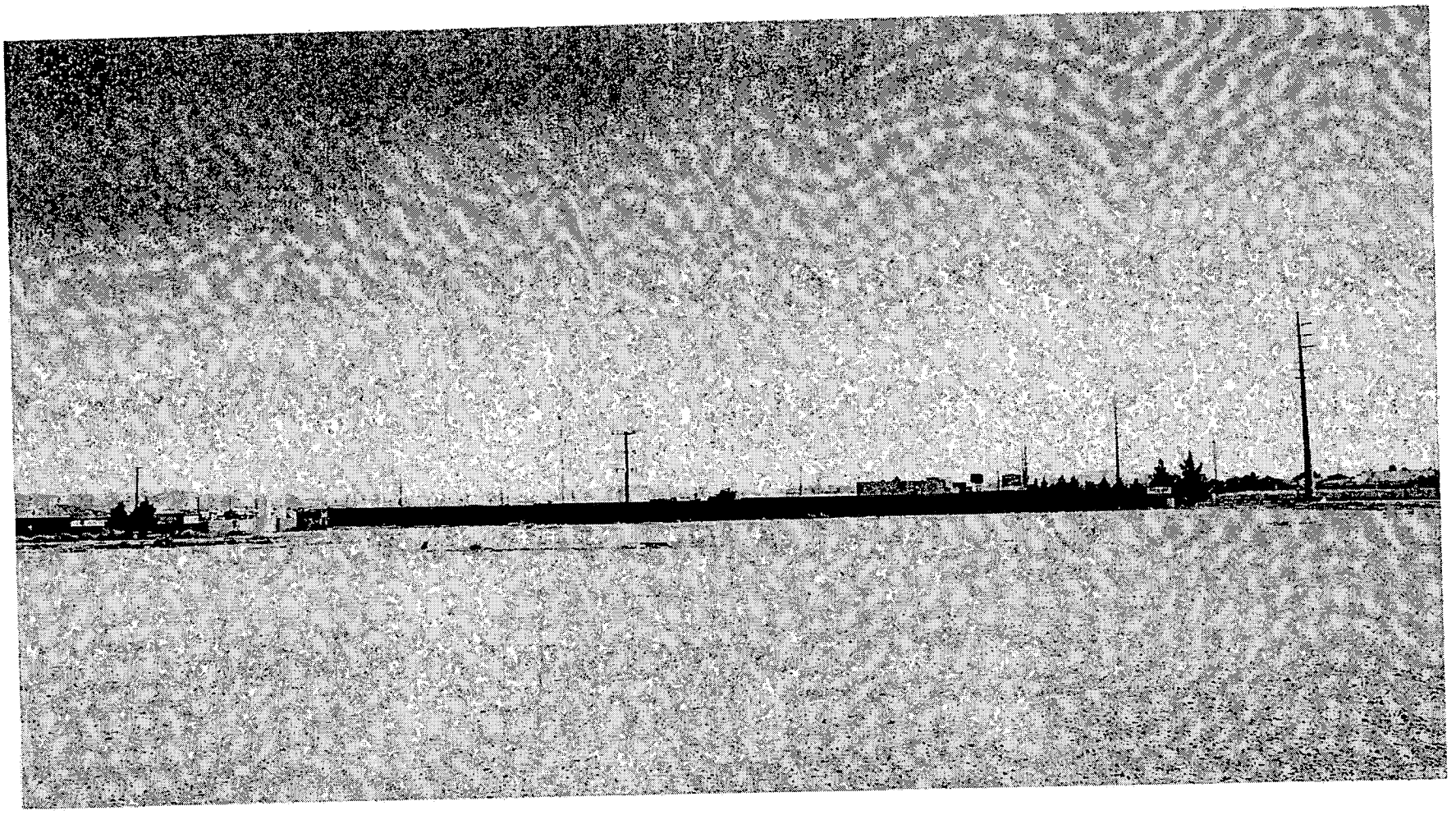
Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Tabitha F. Keetch

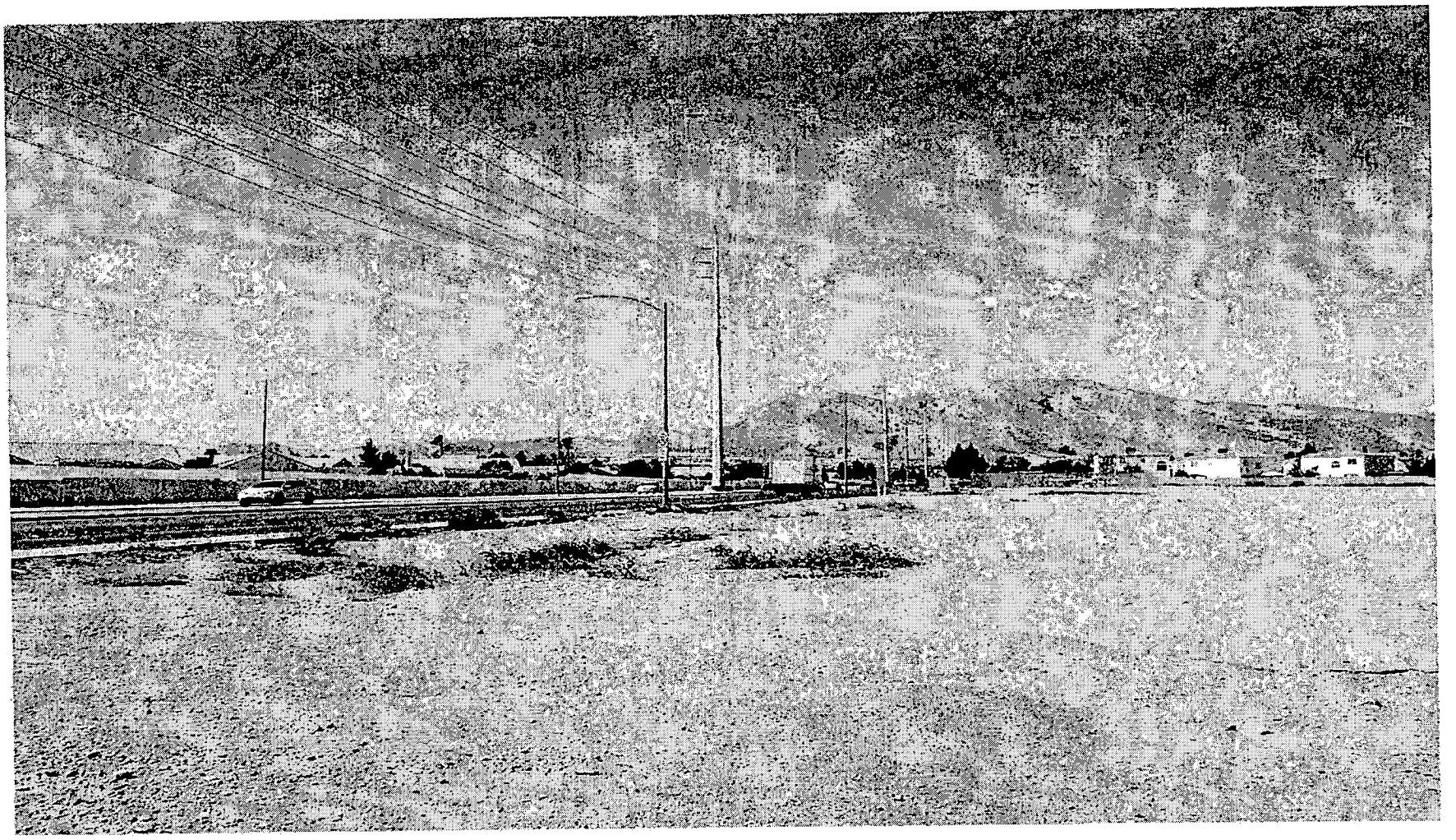
Tabitha F. Keetch

TFK/lsm



GPA-6318, ZON-6324 & SDR-6331 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS
NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 665 FEET EAST OF EL CAPITAN WAY
APRIL 28, 2005 PLANNING COMMISSION

4/4/05



GPA-6318, ZON-6324 & SDR-6331 - APPLICANT: INVESTMENT EQUITY BUILDERS - OWNER: CITY OF LAS VEGAS
NORTH SIDE OF CHEYENNE AVENUE, APPROXIMATELY 665 FEET EAST OF EL CAPITAN WAY
APRIL 28, 2005 PLANNING COMMISSION

4/4/05

April 18, 2005

Planning Commission
c/o Planning & Development Dpt.
731 South Fourth St.
Las Vegas NV 89101

Ref:GPA-6318, ZON-6324, SDR-6331

Dear Sirs and Mesdames.

We are the owner of the property located at 3205 Cheltenham Street and are in receipt of the proposed requests for development, rezoning and amendments.

We would like to go on record as being opposed to these requests. Inasmuch we value private property rights and the ability of owners to develop their land according to existing zoning laws, we opposed the rezoning of park/recreation land or increasing density. Parks and open land are crucial for maintaining a quality of life for local residents. Increasing commercial density makes for more pollution, more traffic, more accidents and more parking requirements paving over open land.

We bought this property for our retirement and plan to move there eventually. We don't want to see more commercial building next to our complex.

Please have the applicant resubmit a more compatible plan without converting Park and open land and without increasing the present density as allowed by current zoning laws.

Respectfully yours,

Claude Raffin
621 Island View Dr.
Santa Barbara CA 93109

Jon Gathercole

City of Las Vegas

Agenda Item No.: 53

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
GPA-6321 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PR-OS (PARK/RECREATION/OPEN SPACE) AND O (OFFICE) TO: MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street (APNs 138-03-510-003, 023, 024 and 025), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:
DAVENPORT – Motion for Approval failed due to lack of super majority, which is tantamount to DENIAL with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

MINUTES – Continued:

FLINN FAGG, Planning & Development, gave a brief overview of the applications, which would allow the applicant to incorporate the subject parcels into a recently approved R-PD10 development to the west. This action would increase the number of units on the associated parcels from 78 to a total of 124, which still remains within the limit of R-PD10 in terms of density. Staff is requesting minor modifications to the landscape plan. There is a trail requirement on Lone Mountain Road. Also, three of the subject parcels are currently being annexed but are scheduled for approval prior to final action.

CHAIRMAN NIGRO informed the applicant's representatives that because COMMISSIONER McSWAIN abstained, there would be no way for the Board to reach the necessary supermajority for the item to be approved. Lack of supermajority is tantamount to a denial. This would not affect the companion items.

CHRIS KAEMPFER, Attorney, Kummer Kaempfer Bonner & Renshaw, 3800 Howard Hughes Parkway, appeared with Russell Skuse on behalf of the applicant. ATTORNEY KAEMPFER stressed that discussion should be limited only to the items on the agenda, not the previously approved items that MR. FAGG referenced. ATTORNEY KAEMPFER also informed the Commission about the negotiated additional conditions relating to those items.

After orienting the Board to the site, ATTORNEY KAEMPFER pointed out that all of the properties, including the adjacent RE homes, are general planned for Office, not residential. Clark County had the master plan for the area modified when it was annexed over to the City. He indicated that neighborhood meetings have continued to date. The applicant did agree to some additional conditions and copies were distributed to the Board members. He stressed that these conditions were not part of an agreement because despite the number of meetings, an agreement was not reached between the applicant and residents. The additional conditions include: Installation of an eight-foot high, earth-toned, stucco wall, such as those seen in Summerlin, located around the cul-de-sac and along Balsam Street. A six-foot wide landscape buffer around the cul-de-sac and along Balsam Street and the applicant will work with the neighbors as to the type and nature of the landscaping within the buffer. The remaining perimeter adjacent to the RE lots would have an eight-foot high decorative block wall. Subject to adjacent neighbor approval, the applicant will file for vacation of Balsam Street from the cul-de-sac bulb to Red Coach Avenue. Subject to adjacent neighbor approval, the applicant will file for vacation of Red Coach Avenue from Balsam Street to the cul-de-sac bulb. If Balsam Street is approved for vacation, the street width would be reduced to 37-feet and would become a private drive with curb, gutter and paving along Balsam Street to Red Coach Avenue to address flood concerns. Rural standards would be applied, where permitted, to the exterior of the site. The interior lighting would be low-level box lighting to minimize any lighting intrusion into the

MINUTES – Continued:

adjacent RE neighborhoods. The crash gates at Balsam Street and Red Coach Avenue that were a condition of approval for the previous applications may never be used for access except by emergency vehicles The crash gate on Red Coach Avenue will be eliminated if it is not required by the Fire Department. Finally, once construction commences, the applicant will meet with the neighbors to discuss construction hours and there will be no construction traffic on Balsam Street.

CHAIRMAN NIGRO conferred with MARGO WHEELER, Director, Planning and Development, to identify which of the suggested conditions could actually be enforced by the City. MS. WHEELER explained that many of the items would be a private agreement between the applicant and neighbors. The condition regarding the eight-foot wall is addressed with Condition 13 of Item 55 [SDR-6332] and the design reference to a "Summerlin" style could be incorporated into that condition. She suggested verbiage regarding the crash gates not being used for vehicle traffic and that the Red Coach Avenue crash gate being removed if not required by the Fire Department. MS. WHEELER suggested confirming the rural standard condition with Public Works. GINA VENGLASS, Public Works, questioned the request to vacate Balsam Street because the majority of the street is located within the County. Regarding the rural standards, staff always suggests the installation of urban improvements so that would be her recommendation. MS. VENGLASS reminded everyone that the County would have some say over the improvements to Balsam Street.

ATTORNEY KAEMPFER confirmed with MS. VENGLASS that using the low level lighting within the development would not be a concern. He acknowledged that the City could not enforce many of the conditions he read; however, he wanted them on the record for the benefit of the neighbors. The conditions allow for separation of the proposed development from the existing RE properties by secluding them from the I-95 freeway, Lone Mountain Road and the proposed project.

MARY KLOSOWSKI, 4615 Balsam Street, stated she lived in her home for 39 years. She referenced a document titled Declarations of Restrictions, Bridle Path Estates. The document was recorded August 30, 1962. The declaration serves as a contract between each individual property owner and all property owners collectively for the mutual protection and benefit of all. Signatures on the deeds subject the owner to the terms of the declaration. The City of Las Vegas does not have authority to intervene in matters pertaining to the declaration. Approval of these items would alter and destroy that contract without due process of law. The proposed development falls within the Bridle Path Estates and therefore is subject to the Declaration of Restrictions.

MINUTES – Continued:

PAT TREICHEL, 6991 Red Coach Avenue, stated he was confused after reading the declaration because it seemed clear that the action was not allowed. MR. TREICHEL said the applicant has made some appreciated concessions. His main concern was that the crash gates would be used for vehicular traffic. He asked if there was some way to guarantee against it. An unidentified male speaker spoke in opposition of the project and complained that ATTORNEY KAEMPFER should have recognized the importance of the declaration. BARNARD COMO, 4650 Balsam Street, explained that although he is still opposed to the project, he thought some of the concessions were admirable. He liked this new design much more than the previous version.

ROBERT EAGLE, 4686 Balsam Street, questioned flood control measures, because his home sits lowest in the area. The proposed site has soaked up water in the past and now that water will be displaced by the homes. He also questioned why the CC&R's for the neighborhood were not checked prior to the application process.

DARRELL LINCOLN CLARK, Attorney, 438 East Sahara Avenue, appeared representing 14 of the residential estate owners in the Bridle Path Estates. His clients own lots along Balsam Street down to Red Coach Avenue. The requested zone change would divide three existing lots into 40 lots. The CC&Rs that have been referenced do not allow for more than one lot per ½ acre parcel. He suggested that the issue may have to be addressed elsewhere.

ATTORNEY KAEMPFER replied that he was not involved when the original applications were first heard before the Planning Commission. Since that time, the Planning Commission was not involved with the conditions agreed to by Council. Regarding the crash gates, the applicant would be amenable to having a restriction imposed, as a condition of approval, stating the crash gates would exist. The drainage study would address MR. EAGLE'S flooding concerns. ATTORNEY KAEMPFER indicated he was aware of the CC&Rs but because they are 40 years old and have never been enforced, they are not applicable to the property. The residents themselves were unaware of the CC&Rs being in place. Additionally, that is considered a private agreement and the City never considers private contracts when reviewing zoning issues. He said the neighbors have the right to litigate to see if the declaration is valid but that is not a factor the City should take into consideration when reviewing the applications.

CHAIRMAN NIGRO confirmed with DEPUTY CITY ATTORNEY BRYAN SCOTT that the City is consistent in saying the City does not get involved with private covenants and restrictions. City Code does provide in Title 19.00.050J that by virtue of this Title the City has no power or authority to enforce private deeds, covenants, conditions or restrictions. Residents have been informed in the past that if conditions exist and need to be enforced they are welcome to litigate the issues against the property owner if they believe them to be valid.

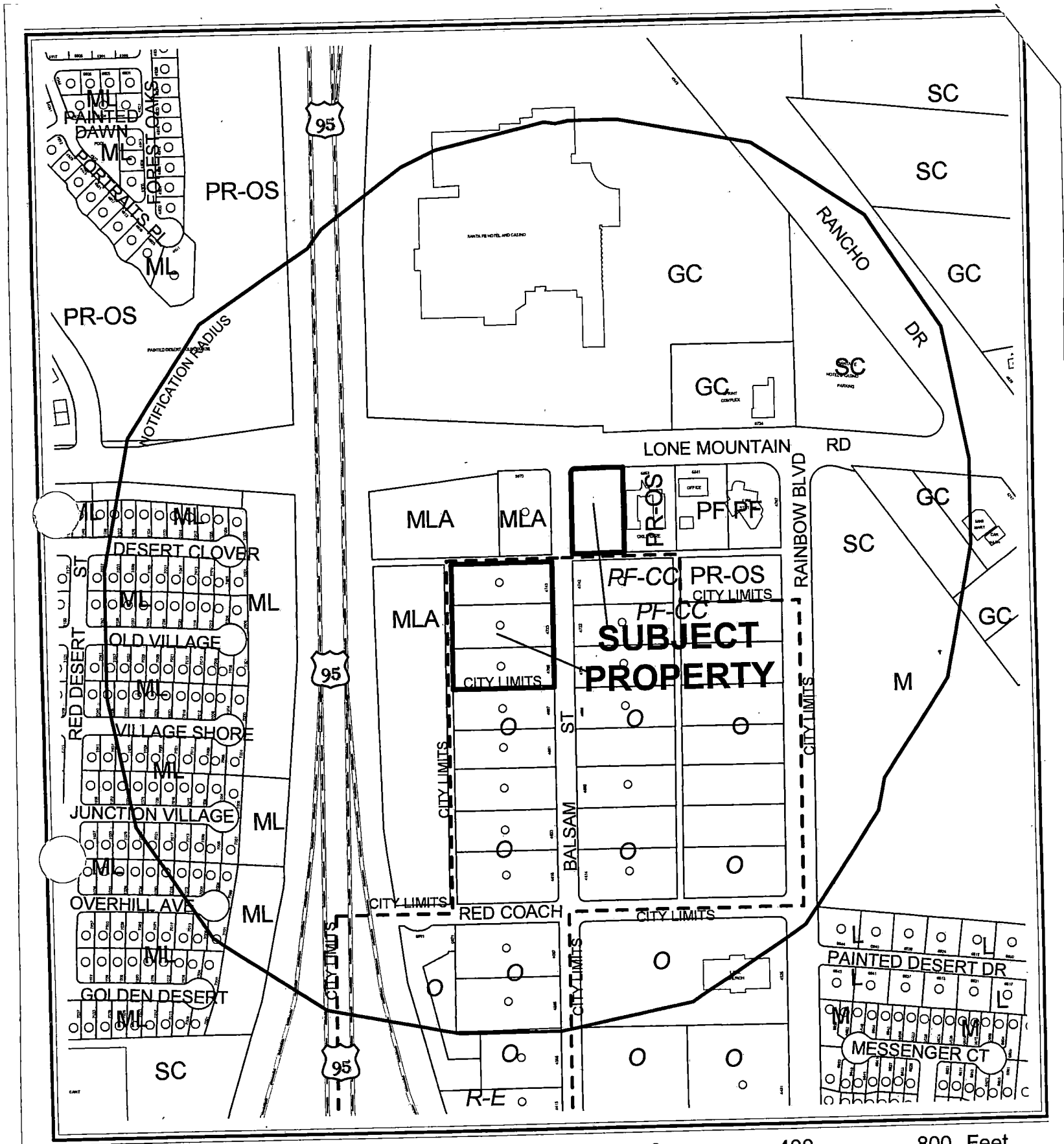
MINUTES – Continued:

VICE CHAIRMAN TRUESDELL agreed that the City does not get involved in any private deed issues. Being in the real estate business, he deals with deed restrictions often. All residential deed restrictions that he has seen in the valley typically have a 20 to 50 year sunset. He did not vote on the adjacent application because the notice area affected property that one of his partners had an interest in. The current application cures most of the problems he had with the first set of applications. The applicant can agree to a condition of approval indicating the crash gates can only be used for emergency access. The improvements to Balsam Street help to lessen the impact of the proposed development on the neighbors. He asked whether there would be a problem with the hotel traffic cutting into the proposed development. MR. SKUSE stated it was a gated community.

COMMISSIONER DAVENPORT agreed with VICE CHAIRMAN TRUESDELL. He voted against the item originally but now believes these applications resolve a few of his concerns. A new concern resulted after hearing about the vacation of Balsam Street. He questioned who would pay for maintenance since it was going to be a private street. ATTORNEY KAEMPFER stated that discussions never progressed past installation of the improvements. His applicant would agree to maintain the private street and would accept a condition stating so. VICE CHAIRMAN TRUESDELL confirmed with ATTORNEY KAEMPFER that the applicant would maintain the landscape strip on Balsam Street as well.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)

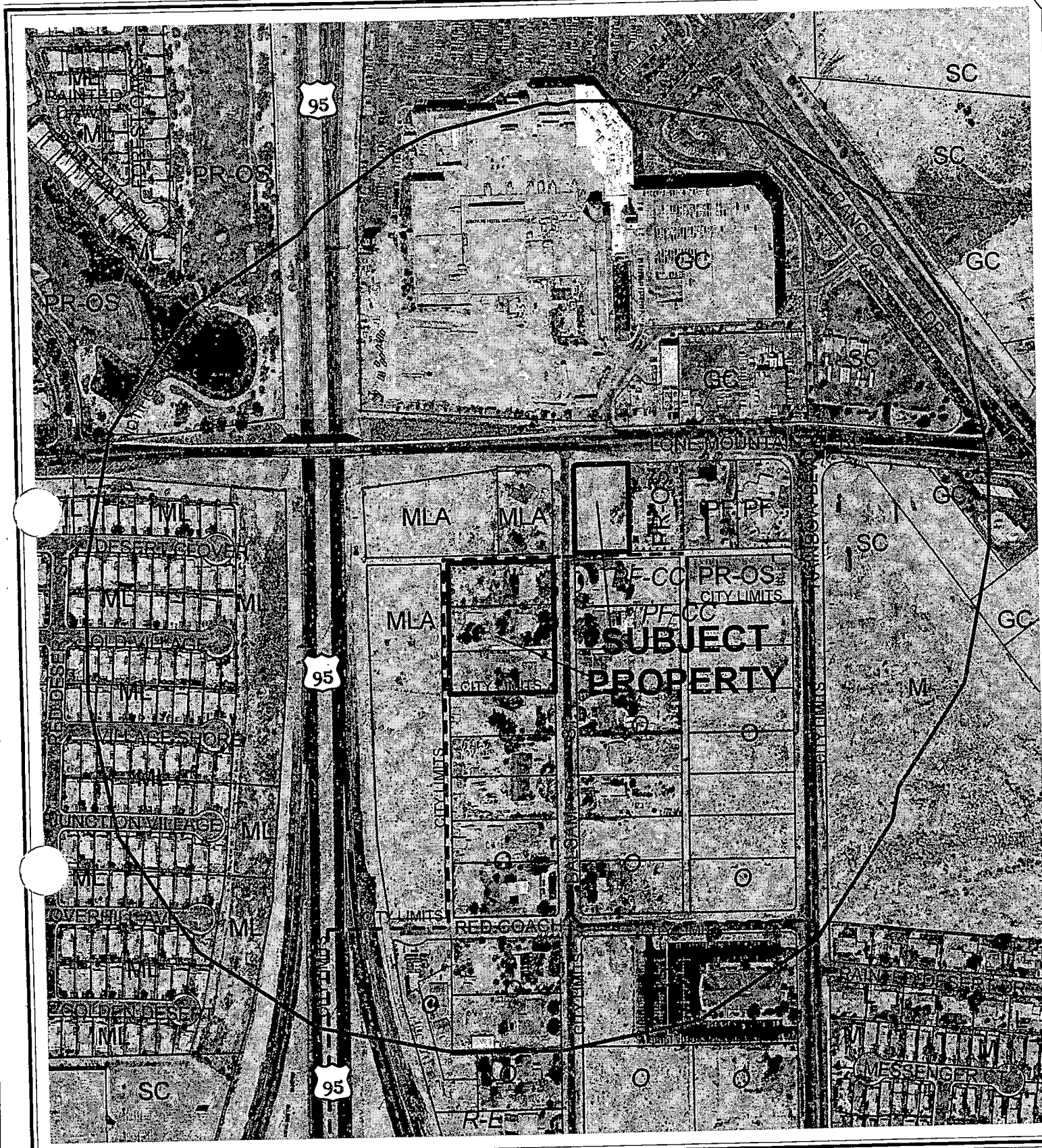


CASE: **GPA-6321**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PR-OS (PARKS/RECREATION/OPEN SPACE) AND O (OFFICE)

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



CASE: **GPA-6321**

RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
PR-OS (PARKS/RECREATION/OPEN SPACE) AND O (OFFICE)

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6321 - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL

** CONDITIONS **

STAFF RECOMMENDATION: APPROVAL

PL

** STAFF REPORT **

APPLICATION REQUEST

This application seeks to change the General Plan land use designation of the subject property located at the southeast corner of Lone Mountain Road and Balsam Street from PR/OS (Parks/Recreation/Open Space) to MLA (Medium-Low Attached Density Residential), as well as to change the General Plan land use designation of subject properties located at 4705, 4723 and 4743 Balsam Street from O (Office) to MLA (Medium-Low Attached Density Residential). A related rezoning to R-PD10 (Residential Planned Development - 10 units per acre) (ZON-6327) and a related Site Development Plan Review for a proposed 124 lot single-family attached residential development (SDR-6332) will also be considered on this agenda.

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 PR/OS (Parks/Recreation/Open Space) and O (Office) land uses.

03/12/92 The Planning Commission approved the three Land Use Sector Maps of the General Plan.

05/24/99 The City Council approved the Centennial Hills Sector Map (GPA-01-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.

08/18/99 The City Council approved GPA-23-99, which amended the density range for the Low Density Residential land use category to allow a maximum of 5.5 dwelling units per acre, Medium Low Density Residential to allow up to 8 dwelling units per acre, and Medium Density Residential up to 25 dwelling units per acre.

09/06/00 The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Area as described in the Plan.

02/19/03 The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject properties were designated for PR/OS (Parks/Recreation/Open Space) and O (Office) land uses.

05/04/05 The City Council will consider an Annexation (ANX-6060) application to Petition for the annexing of land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres. The Planning Commission recommended approval on 03/24/05. [The effective date is 05/27/05 pending approval of City Council.]

PL

DETAILS OF APPLICATION REQUEST

Site Area: 3.26 Acres

EXISTING LAND USE

Subject Properties	Undeveloped [Proposed Single-Family Residential Development (SDR-6332)] Single Family Residential Dwellings
North	Santa Fe Hotel and Casino Undeveloped [Proposed Single-Family Residential Development (SDR-5826/ SDR-6332)]
South	Single-Family Residential Dwellings
East	Single-Family Residential Dwellings Child Care Center [Lone Mountain Creative Learning Center (N16-00029)]
West	Undeveloped [Proposed Single-Family Residential Development (SDR-5826 / SDR-6332)] US Interstate 95

PLANNED LAND USE

Subject Properties	PR/OS (Parks/Recreation/Open Space O (Office)
North	MLA (Medium-Low Attached Density Residential) GC (General Commercial)
South	PF-CC (Public Facility – Clark County) O (Office)
East	PR/OS (Parks/Recreation/Open Space) O (Office)
West	MLA (Medium-Low Attached Density Residential)

EXISTING ZONING

Subject Property	U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] R-E (Rural Estates Residential) Clark County [R-E (Residence Estates) upon annexation (ANX-6060) effective date (05/27/05)]
North	R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) C-2 (General Commercial)
South	R-E (Rural Estates Residential) Clark County
East	R-E (Rural Estates Residential) Clark County R-E (Residence Estates)

PL

West	U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) ROW (Right-of-Way)

DEFINITIONS

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

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

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

ANALYSIS

The applicant has previously gained approval for a 78-lot single-family attached residential development (GPA-5823, ZON-5827 and SDR-5826) on 7.8 acres to the west and north of the subject parcels at the 03/02/05 City Council meeting. The applicant has now acquired an additional 3.26 acres and proposes to incorporate it into a redesigned 124 lot single-family attached residential subdivision on 12 acres. The site will be accessed from Lone Mountain Road via a gated entry and be composed of private streets for internal circulation. The Centennial Hills Sector Plan of the General Plan designates the subject parcels as being PR/OS (Parks/Recreation/Open Space) and O (Office) land uses. The applicant is proposing to amend the Centennial Hills Sector Plan of the General Plan so as to change the subject property's land use designation to MLA (Medium-Low Density Residential) in order to incorporate them into a 124 lot single-family attached residential development. The proposed development will maintain a density of 10.3 dwelling units per acre. As the subject properties are to be an extension of an approved residential planned development the proposed General Plan Amendment is compatible with development in the area.

PL

FINDINGS

Section 19.18.030.I of the Las Vegas Zoning Code 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 MLA (Medium-Low Attached Density Residential) allows a proposed density of up to 12.0 dwelling Units Per Acre gross acre and is compatible with the adjacent parcels under resolution of intent to R-PD10 (Residential Planned Development – 10 units per acre) zone.

In regard to "2": The proposed General Plan Amendment would allow zoning districts that would be compatible with the existing adjacent zoning districts. Parcels adjacent to the site are zoned R-PD10 (Residential Planned Development – 10 units per acre), which allows a maximum density of up to 10.49 dwelling units per acre. If the proposed General Plan Amendment were approved, it would allow for additional acreage to be incorporated into previously approved (SDR-5826) single-family attached residential development.

In regard to "3": There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed office project. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 W. Cheyenne, located at the northwest corner of Cheyenne and Metro Academy Way, (west of Grand Canyon). A fire station is located at Lone Mountain Road and Rainbow Boulevard is the closest city facility to the site.

In regard to "4": There are no other adopted plans or policies that apply to this application.

GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, on 03/28/05 a

PL

neighborhood meeting sponsored by the applicant was held at the Centennial Academy located at 6610 Grand Montecito Parkway. Three representatives of the applicant, one City Council office representative and nine members of the public including an attorney representing the neighborhood property owners attended and had the following comments:

- Notification
- Density
- Access
- Traffic control measures for Balsam Street and Lone Mountain Road and Balsam Street and Rainbow Boulevard
- Buffer for child care center
- County bridal path
- Path of construction vehicles

All residents in attendance were opposed to the project.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 195 [Mailed with ZON-6327 and SDR-6332]

APPROVALS 0

PROTESTS 2

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6321 APN: 138-03-510-023

Name of Property Owner: SERGE CHARBONNEAU

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Serge Charbonneau

Subscribed and sworn before me

This 19th day of JANUARY, 2005

Sue S. Ray

Notary Public in and for said County and State

Notary Public - State of Nevada
County of Clark
SUE S. RAY
My Appointment Expires

Revised 2/12/02

f:\depot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6321 APN: 138-03-510-003

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: RS CONSULTING INC

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

_____ Yes _____ X _____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: K. John McNellis 3/15/05

Print Name: John McNellis, Deputy Director Public Works

Subscribed and sworn before me

This 15 day of March, 2005

Notary Public in and for said County and State County of Clark State of Nevada

JoANN CROLLI
Notary Public State of Nevada
No. 02-79131-1
My appt. exp. Nov. 14, 2006

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6321 APN: 138-03-510-024

Name of Property Owner: RAYMOND P LANYON

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes X No

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

City Official: _____

Partner(s): _____ _____

APN: _____

X Signature of Property Owner/Authorized Agent: Raymond Lanyon

Print Name: Raymond Lanyon

Subscribed and sworn before me

This 21 ST day of JANUARY, 2005

Michelle L. Okrent

Notary Public in and for said County and State

MICHELLE L. OKRENT
Notary Public, State of Nevada
Appointment No. 03796591
My Appt. Expires Jan. 14, 2007

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6321 APN: 138-03-510-025

Name of Property Owner: HOWARD LEE & MYRA P COOLICAN

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes ___✓___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Myra P. Coolican

Print Name: MYRA P COOLICAN

Subscribed and sworn before me

This 24th day of JANUARY, 2005

Elizabeth H Neubauer 1-24-05

Notary Public in and for said County and State

ELIZABETH H. NEUBAUER
Notary Public, State of Nevada
Appointment No. 02-76845-1
My Appt. Expires July 17, 2006

LAS VEGAS
r s CONSULTING, INC.
NEVADA
STRATEGIC PLANNING SOLUTIONS

March 14, 2005

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village II General Plan Amendment, Rezoning and Site Development Plan Review for APN # 138-03-510-001,002,003,023,024,024,031**

On behalf of Royal Construction we respectfully request your consideration of the attached General Plan Amendment, Rezoning and Site Development Plan Review applications.

Location: The proposed 12.0 acre± site is located east of U.S. 95 (Oran K Gragson Highway) and south of Lone Mountain Road.

Request: At this time, Royal Construction is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to R-PD10 for a 124 unit single family attached residential development on 12.0 acres± (138-03-510-001,002,003,023,024,025 and 031) with a proposed density of 10.3 ± dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-6060-05) for parcels 138-03-510-023,024,025 into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on March 24, 2005.

Background/Justification: In referencing our previously approved plans for a General Plan Amendment (GPA-5823-04), Zone Change (ZON-5827-04) and Site Development Review (SDR-5826-04) which was approved by City Council on March 2, 2005. Royal Construction made commitments to the neighborhood and the City of Las Vegas with respect to our Phase II for the overall project that includes additional parcels and the previously approved applications. The plans that we are submitting reflect our commitment to this project, the neighborhood and conditions of approval for the overall plan.

Development Standards: All interior streets will be 39.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2.5' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: 2.04 acres± (89,123 s.f.±)
Open Space Provided: 2.62 acres± (113,958 s.f.±)

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r s CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

Spinnaker Village II
GPA, SDR, Rezoning
APN's 138-03-510-001,002,003,023,024,025,031

Deviation of Standards: Additionally, we will be requesting minor deviations of the City Standards for reduced knuckle radii and to allow a street to terminate with no turn around as this was based on our redesigned plans and the previous approval of "no access" to Red Coach Drive, as emergency access only will be allowed onto Red Coach. Also in referencing our development standards, please note that these attached single family homes will be sprinkled based on discussions with the City of Las Vegas Fire Engineer.

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Shase
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

Telephone Protest/ Approval Log

Meeting Date: 4/28 **Case Number:** 6-PA-6321
SDR-6332, ZON-632

Date: 4/20
Name: Jackie Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **PROTEST** ☐ **APPROVE**

Date: 4/20
Name: Ralph Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **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**

#55
SDR
6332

CONDITIONS OF ZONING APPROVAL

1) 8 FOOT high SUMMERLIN type stucco EARTH TONE WALL around CUL-de-sac and along Balsam

2) Six foot wide landscape buffer along cul-de-sac & Balsam and we agree to work with NEIGHBORS on BALSAM as to type & NATURE of landscaping.

3) 8 FOOT high decorative block WALL along remainder of PERMITER Adjacent to R/E LOTS.

4) SUBJECT to adjacent NEIGHBOR APPROVAL, WE will file for VACATION of BALSAM to Red Coach ~~and from~~ From CUL-de-sac bulb AND on Red Coach from Balsam south to CUL-de-SAC

5) If BALSAM vacated, ~~the~~ BALSAM will be reduced to 37 foot street, PRIVATE DRIVE, with CURB, gutter and PAVING along Balsam to Red Coach to address flood concerns.

6) Apply RURAL standards, where permitted by staff, to EXTERIOR of SITE and interior of SITE will consist of low level box lighting.

7) EXPRESSED Condition of zoning Approval that crash GATES at BALSAM and at Red Coach MAY never be used for access except for EMERGENCY ~~purposes~~ vehicles.

8) Crash gate on Red Coach will be ELIMINATED

Submitted at Planning Commission
Date 04-28-05 Item: #55

(OVER)

16 Approved by Fire Dept.

9.) Once construction commences, we will meet with neighbors to discuss construction ~~[illegible]~~ hours

10.) No construction traffic on BALSAM

Excerpt from Ordinance 61, Clark County, Adopted 1955
cited as controlling document in DECLARATION OF RESTRICTIONS
BRIDLE PATH ESTATES

CHAPTER VII. R-E (RESIDENCE ESTATE) DISTRICT REGULATIONS

1. In Residential Zone R-E, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses.

A. USES PERMITTED

* See highlighted Chapter VI

a. All uses permitted in the R-A District subject to securing a conditional use permit as provided in Chapter XXXV of this Ordinance, for any use for which a conditional permit is required in said district.

b. Pending residential development small livestock farming and the keeping of domestic animals as an incidental use but not for commercial purposes and subject to the following limitations:

a. Not more than one cow, two goats, two sheep or similar animals per one-half ($\frac{1}{2}$) acre, but no cows, goats, horses, sheep or similar animals on less than one-half ($\frac{1}{2}$) acre; nor more than one horse or 100 fowl for each one-quarter ($\frac{1}{4}$) acre.

Conditions under which domestic animals are kept shall be in compliance with the rules, regulations or laws of the County of Clark and the State Health Department.

B. BUILDING HEIGHT REGULATIONS - Same as for Residential Zone R-A.

C. BUILDING SITE AREA REGULATIONS - None except that the minimum lot area for any dwelling structure shall be not less than one-half ($\frac{1}{2}$) acre (20,000 sq.ft.)

D. WIDTH REGULATIONS - None except that the minimum width of a lot for any dwelling structure shall be not less than one hundred (100') feet.

E. DEPTH REGULATIONS - None except the minimum depth of a lot for any dwelling structure shall be not less than one hundred forty (140) feet.

F. SIDE YARD REGULATIONS -

a. The minimum side yard for any dwelling shall be fifteen (15) feet and the total width of the two required side yards shall be not less than thirty-four (34) feet. Other main or accessory buildings shall have a minimum side yard of twenty (20) feet and the total width of the two required side yards shall be not less than forty (40) feet. On corner lots, the side yard, which faces on the street for both the main and accessory buildings, shall be not less than twenty-five (25) feet, or the average of existing buildings where more than fifty (50) percent of the frontage is developed, but in no case shall the side yard be less than twenty (20) feet, or be required to be more than thirty (30) feet.

Submitted at Planning Commission

Date 04-28-05 Item #53 (through 55)

87. YARD An open space on a lot, other than a court, unoccupied and unobstructed from the ground upward, except as otherwise provided herein.

a. Yard, Front An open space on the same lot with a building between the front line of the building and the front lot line or future width line, and extending across the full width of the lot: the depth of the front yard is the minimum distance between the front lot line and the nearest exterior wall of the building, the front of a bay window or the front of a covered porch or other similar projection, whichever is nearest the front lot line.

b. Yard, Rear An open space extending across the full width of the lot between the most rear main building and the rear lot line. The depth of the required rear yard shall be measured horizontally from the nearest part of a main building toward the nearest point of the rear lot line.

c. Yard, Side An open space between the main building and the side lot line and extending from the front yard to the rear yard.

CHAPTER VI. R-A (RANCH ESTATE) DISTRICT REGULATIONS

1. In Residential Zone R-A, no building or structure shall be erected which is arranged, intended or designed to be used for other than one or more of the following uses:

A. USES PERMITTED

a. Not more than one single-family dwelling unit of a permanent character per lot.

b. Farming, including all types of agriculture and horticulture, EXCEPT:

1. Commercial Dairies
2. Commercial kennels, rabbit, fox, goat and other animal raising farms.
3. Egg producing ranches and farms devoted primarily to the hatching, raising, fattening and/or butchering of checkens, pigeons, turkeys, fish, frogs or other poultry or fowl on a commercial scale.
4. Hog or other livestock feeding ranches.
5. Ranches operated publicly or privately for the disposal of garbage, sewage, rubbish or offal.

c. Private nurseries and greenhouses used only for the purpose of propagation and culture, and provided that there is no retail shop in connection therewith.

d. Flower and vegetable gardening.

e. Sale of any products of the aforementioned permitted uses upon the premises upon which such products are produced, provided that no permanent or commercial building shall be constructed in connection therewith.

City of Las Vegas

Agenda Item No.: 54

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-6327 - REZONING RELATED TO GPA-6321 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [PR-OS (PARK/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES) TO: R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street (APNs 138-03-510-003, 023, 024 and 025), Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	2
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 53 [GPA-6321] for related discussion on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6321) to an MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.

2. A Site Development Plan Review (SDR-6332) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.

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

Public Works

5. Dedicate appropriate right-of-way for a complete cul-de-sac at the terminus of Balsam Street.

6. A Petition of Vacation for those portions of Balsam Street in conflict with the proposed site plan shall be recorded prior to the recordation of a Final Map abutting or overlying those portions of Balsam Street.

7. Construct half-street improvements including appropriate overpaving on Lone Mountain Road and Balsam Street (including the complete cul-de-sac termination) 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 boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

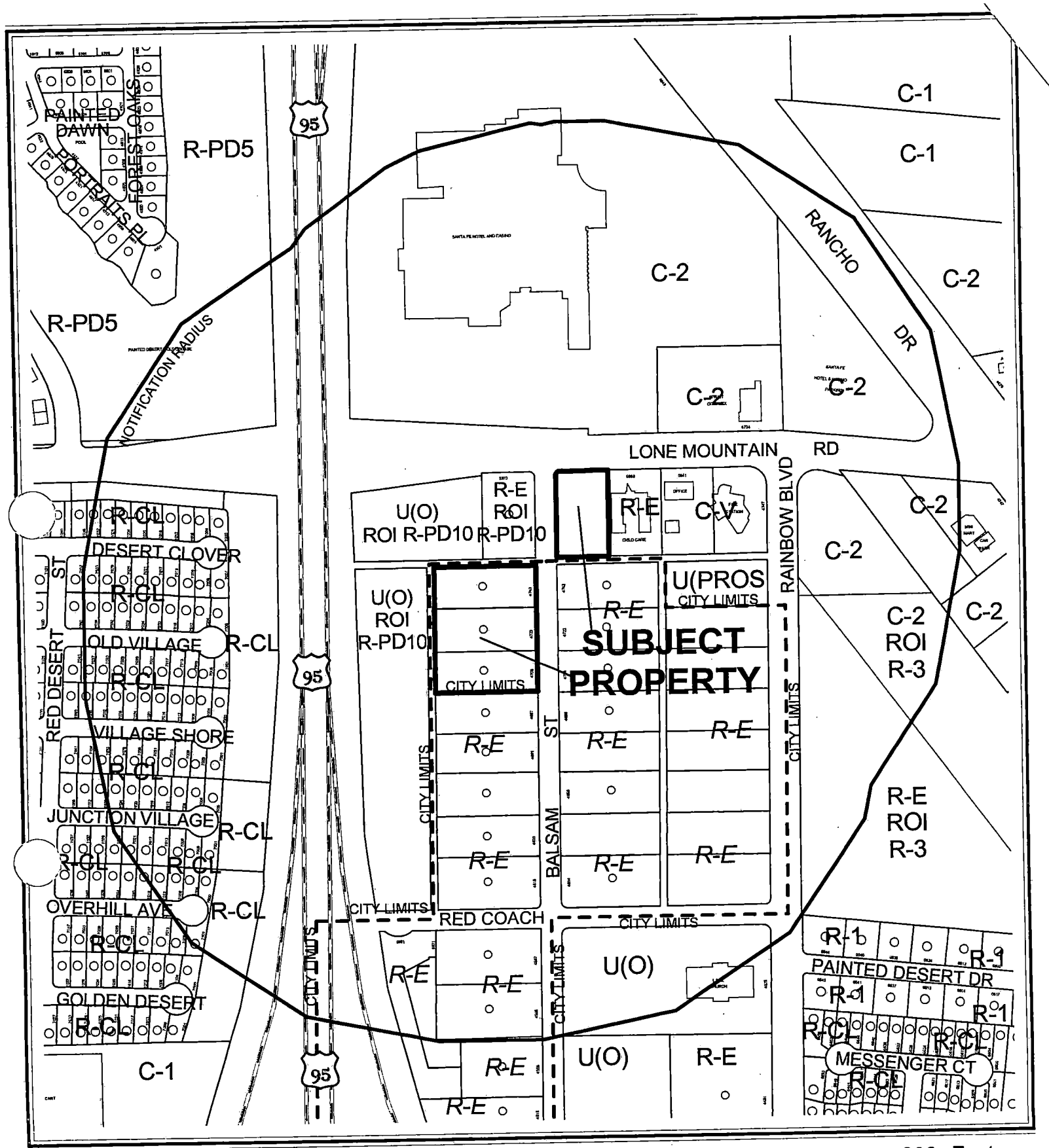
8. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of

CONDITIONS – Continued:

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.

9. 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.

10. 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 submittal 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.



0 400 800 Feet

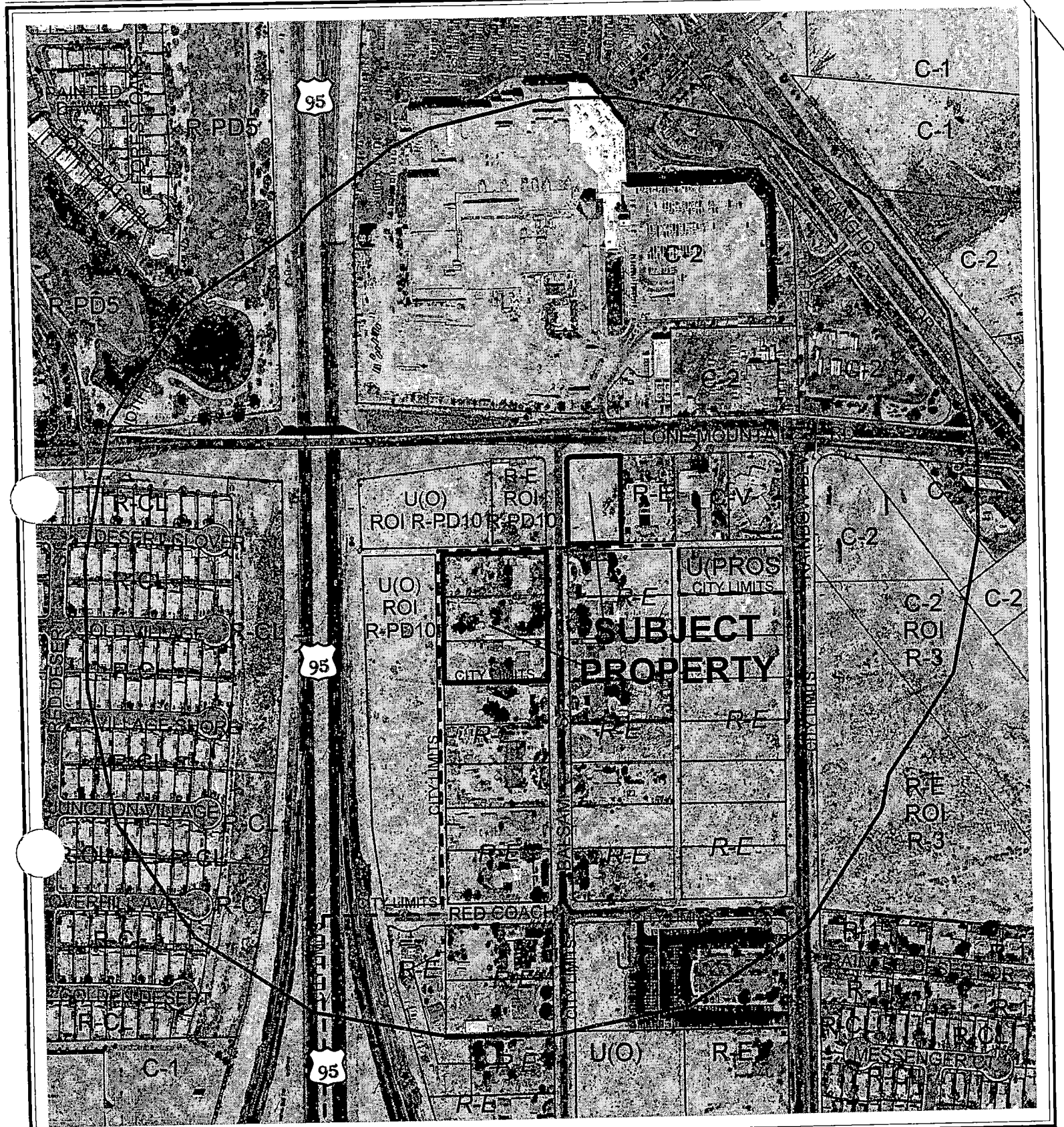
CASE: **ZON-6327**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N



0 400 800 Feet

CASE: **ZON-6327**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
U (UNDEVELOPED) ZONE [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6327 - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A General Plan Amendment (GPA-6321) to an MLA (Medium-Low Attached Density Residential) land use designation approved by the City Council.

2. A Site Development Plan Review (SDR-6332) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

3. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.

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

Public Works

5. Dedicate appropriate right-of-way for a complete cul-de-sac at the terminus of Balsam Street.

6. A Petition of Vacation for those portions of Balsam Street in conflict with the proposed site plan shall be recorded prior to the recordation of a Final Map abutting or overlying those portions of Balsam Street.

7. Construct half-street improvements including appropriate overpaving on Lone Mountain Road and Balsam Street (including the complete cul-de-sac termination) 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 boundaries of this site prior to construction of hard surfacing (asphalt or concrete).

PL

8. 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.

9. 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.

10. 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 submittal 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.

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning of 3.26 acres located at the southeast corner of Lone Mountain Road and Balsam Street from U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] to R-PD10 (Residential Planned Development – 10 units per acre), as well as a request for a Rezoning of subject properties located at 4705, 4723 and 4743 Balsam Street from R-E (Residence Estates) to R-PD10 (Residential Planned Development – 10 units per acre. A related General Plan Amendment to MLA (Medium-Low Attached Density Residential) (GPA-6321) and a related Site Development Plan Review for a proposed 124-unit single-family attached residential development (SDR-6332) will also be considered on this agenda.

B) Applicant's Justification

The applicant justifies this application by referencing their previously approved General Plan Amendment (GPA-5823), Rezoning (ZON-5827) and Site Development Plan Review (SDR-5826), which were approved by the City Council on 03/02/05, while stating that during said process of approval made commitments to the neighborhood and the City of Las Vegas with respect to their Phase II for the overall project that includes additional parcels and previously approved applications. They go further to state that the submitted plans reflect their commitment to this project, the neighborhood and conditions of approval for the overall plan.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council approved a Petition to Annex (ANX-5100) property generally located on the east side of U.S. 95, south of Lone Mountain Road (APN 138-03-510-001, 002 and 031), containing approximately 7.02 acres. The effective date of this annexation was 2/25/05. Planning Commission recommended approval on 12/16/04.

03/02/05 The City Council approved a General Plan Amendment (GPA-5823) application to amend a portion of the Centennial Hills Sector Plan) of the General Plan from O (Office) to MLA (Medium-Low Attached Density Residential) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

PL

03/02/05 The City Council approved a Rezoning (ZON-5827) application to from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan Designation] to R-PD10 (Residential Planned Development - 10 units per acre) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

03/02/05 The City Council approved a Site Development Plan Review (SDR-5826) application for a proposed 78-lot single-family attached residential development on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

04/28/05 The Planning Commission will consider a General Plan Amendment (GPA-6321) application to amend a portion of the Centennial Hills Sector Plan of the General Plan from PR-OS (Park/Recreation/Open Space) And O (Office) to MLA (Medium-Low Attached Density Residential) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street. Staff is recommending approval.

04/28/05 The Planning Commission will consider a Site Development Plan Review (SDR-6332) application for a for a proposed 124 lot single-family attached residential development on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. Staff is recommending approval.

05/04/05 The City Council will consider an Annexation (ANX-6060) application to Petition for the annexing of land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres. The Planning Commission recommended approval on 03/24/05. [The effective date is 05/27/05 pending approval of City Council.]

B) Pre-Application Meeting

03/03/05 A pre-application conference was held and resulted in the following comments:

1. The request is adding 46 lots to SDR-5826, therefore increasing it from 78 to 124 to meet the 10.49 dwelling units per acre.
2. For the additional parcels to incorporated into the development the applicant will require a General Plan Amendment (GPA), Rezoning (ZON), Site Development Plan Review (SDR) and Vacation (VAC).
3. The GPA will change the subject property's land use designation from PR-OS (Park/Recreation/Open Space) And O (Office) to MLA (Medium-Low Attached Density Residential).
4. The ZON will change the subject property's zoning from U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] and R-E (Residence Estates) to R-PD10 (Residential Planned Development – 10 units per acre).

PL

5. The SDR will address the whole site in regards to the 124 lots.
6. The VAC shall Balsam Street and the alleyway.
7. Public Works requires deviations be approved for the knuckles and cul-de-sacs.
8. A new drainage study is required for the additional area.
9. A traffic signal impact fee will be imposed.
10. 39-foot private streets with roll curbs are proposed.
11. Label the crash gate of the plans.

C) Neighborhood Meetings

A neighborhood meeting was held on 03/28/05 at the Centennial Academy located at 6610 Grand Montecito Parkway regarding the companion General Plan Amendment (GPA-6321) application. Details of the meeting are discussed in the staff report for that case.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 3.26

B) Existing Land Use

Subject Properties	Undeveloped [Proposed Single-Family Residential Development (SDR-6332)] Single Family Residential Dwellings
North:	Santa Fe Hotel and Casino Undeveloped [Proposed Single-Family Residential Development (SDR-5826/ SDR-6332)]
South:	Single-Family Residential Dwellings
East:	Single-Family Residential Dwellings Child Care Center [Lone Mountain Creative Learning Center (N16-00029)]
West:	Undeveloped [Proposed Single-Family Residential Development (SDR-5826 / SDR-6332)] US Interstate 95

C) Planned Land Use

Subject Properties	PR/OS (Parks/Recreation/Open Space) O (Office)
North	MLA (Medium-Low Attached Density Residential) GC (General Commercial)
South	PF-CC (Public Facility – Clark County) O (Office)

East	PR/OS (Parks/Recreation/Open Space) O (Office)
West	MLA (Medium-Low Attached Density Residential)

D) Existing Zoning

Subject Property	U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] R-E (Rural Estates Residential) Clark County [R-E (Residence Estates) upon annexation (ANX-6060) effective date (05/27/05)]
North	R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) C-2 (General Commercial)
South	R-E (Rural Estates Residential) Clark County
East	R-E (Rural Estates Residential) Clark County & R-E (Residence Estates)
West	U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) R-E (Residence Estates) Under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) ROW (Right-of-Way)

E) General Plan Compliance

The subject properties are currently designated PR/OS (Parks/Recreation/Open Space) & O (Office) within the Centennial Hills Sector Plan of the General Plan and are proposed via General Plan Amendment (GPA-6321) to become MLA (Medium-Low Attached Density Residential). The Medium Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. The proposed rezoning of the subject properties to R-PD10 (Residential Planned Development – 10 units per acre) would be in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		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

The subject parcel is not part of or impacted by any Special Are Plan and or Special Overlay District.

PL

Multi-Use Non-Equestrian Trail

A Multi-Use Equestrian Trail is proposed along the southern alignment of Lone Mountain Road. The subject site's northern property line abuts the right-of-way at a junction where as Lone Mountain Road passes over the US 95, therefore the proposed trail will have to be tied into the said overpass.

Special Notification

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

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-6332), a related item.

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
12.00 acres	10.33	1.65	17.05%	89,124 SF	22%	113,958 SF

The proposed amount of open space exceeds the required square footage determined by Title 19. The largest concentration of open space exists at the northwestern portion of the site and is connected to an open space trail running almost the entire length of the western property line alignment. Additional open space exists along the eastern property line alignment and will be accessible to the entire proposed development.

B) General Analysis and Discussion

The applicant has previously gained approval for a 78-lot single-family attached residential development (GPA-5823, ZON-5827 and SDR-5826) on 7.8 acres to the west and north of the subject parcels at the 03/02/05 City Council meeting. The applicant has now acquired an additional 3.26 acres and proposes to incorporate it into a redesigned 124-lot single-family attached residential subdivision on 12 acres. The site will be accessed from Lone Mountain Road via a gated entry and be composed of private streets for internal circulation. The current zoning designates the subject parcels as being U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] & R-E (Rural Estates Residential) zone in Clark County [R-E (Residence Estates) upon annexation (ANX-6060) effective date (05/27/05)]. The applicant is proposing to rezone the subject parcels to R-PD10 (Residential Planned Development – 10 units per acre) in order to incorporate them into the proposed 124-lot single-family attached residential development. The proposed development will maintain a density of 10.3 dwelling units per acre. As the subject properties are to be an extension of an approved residential planned development the proposed Rezoning is compatible with development in the area.

FINDINGS

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

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

   With the approval of General Plan Amendment (GPA-6321) the subject parcels will be designated MLA (Medium-Low Density Residential) within the Centennial Hills Sector Plan of the General Plan. Upon approval the proposed Rezoning of the subject parcels to R-PD10 (Residential Planned Development – 10 units per acre) will be in conformance with the General Plan.

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

   Parcels adjacent to the site are zoned R-PD10 (Residential Planned Development – 10 units per acre), which allows a maximum density of up to 10.49 dwelling units per acre. The addition of the subject parcels into the previously approved development would result in a density of 10.3 dwelling units per acre, which was found compatible with the surrounding area by the City Council on 03/02/05.

PL

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

   The most recent development trends in this area indicate the need for the rezoning.

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 will have access from Lone Mountain Road, a Primary (100-foot) Arterial as designated by the Master Plan of Streets and Highways. The site will also have an emergency crash gate located at Red Coach Avenue and Balsam Street, both of which are 60-foot collector streets. The street facilities are adequate for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 195 [Mailed with GPA-6321 and SDR-6332]

APPROVALS 0

PROTESTS 2

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6327 APN: 138-03-510-024

Name of Property Owner: RAYMOND P LANYON

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

X Signature of Property Owner/Authorized Agent: Raymond Lanyon

X Print Name: Raymond Lanyon

Subscribed and sworn before me

This 21ST day of JANUARY, 2005

Michelle L. Okrent

Notary Public in and for said County and State

Revised 2/12/02

MICHELLE L. OKRENT
Notary Public, State of Nevada
Appointment No. 03796591
My Appt. Expires Jan. 14, 2007

f:\dcpot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-6327** APN: 138-03-510-025

Name of Property Owner: HOWARD LEE & MYRA P COOLICAN

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Myra P. Coolican

Print Name: MYRA P. COOLICAN

Subscribed and sworn before me

This 24th day of JANUARY, 2005

Elizabeth H. Neubauer

Notary Public in and for said County and State

ELIZABETH H. NEUBAUER
Notary Public, State of Nevada
Appointment No. 02-76845-1
My Appt. Expires July 17, 2006

1-24-05

Revised 1/24/05

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6327 APN: 138-03-510-023

Name of Property Owner: SERGE CHARBONNEAU

Name of Applicant: ROYAL CONSTRUCTION

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Serge Charbonneau

Subscribed and sworn before me

This 19th day of JAN, 2005

Sue S. Ray

Notary Public in and for said County and State

Notary Public - State of Utah
County of Utah
SUE S. RAY
My Appointment Expires

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6327 APN: 138-03-510-003

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: RS CONSULTING INC

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

_____Yes _____X_____No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner: K. John McNeilis 3/15/05

Print Name: John McNeilis, Public Works Deputy Director

Subscribed and sworn before me

This 15 day of March, 2005

Notary Public in and for said County and State

JoANN CROLLI
Notary Public State of Nevada
No. 02-79131-1
My appt. exp. Nov. 14, 2006

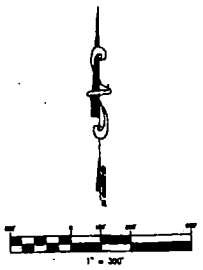
County of Clark
State of Nevada
JoANN CROLLI
Notary Public State of Nevada
My appt. exp. Nov. 14, 2006

Revised 12-03-04

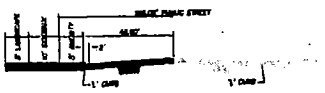
F:\depot\Application Packet\Statement of Financial Interest.doc

SPINNAKER VILLAGE II - PHASE II

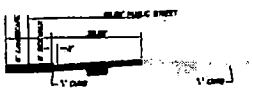
A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION



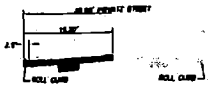
1" = 300'



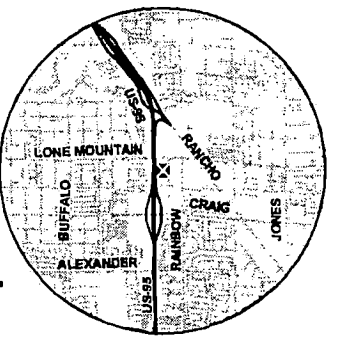
100' PUBLIC STREET HALF-SECTION (LONE MOUNTAIN ROAD)
NOT TO SCALE

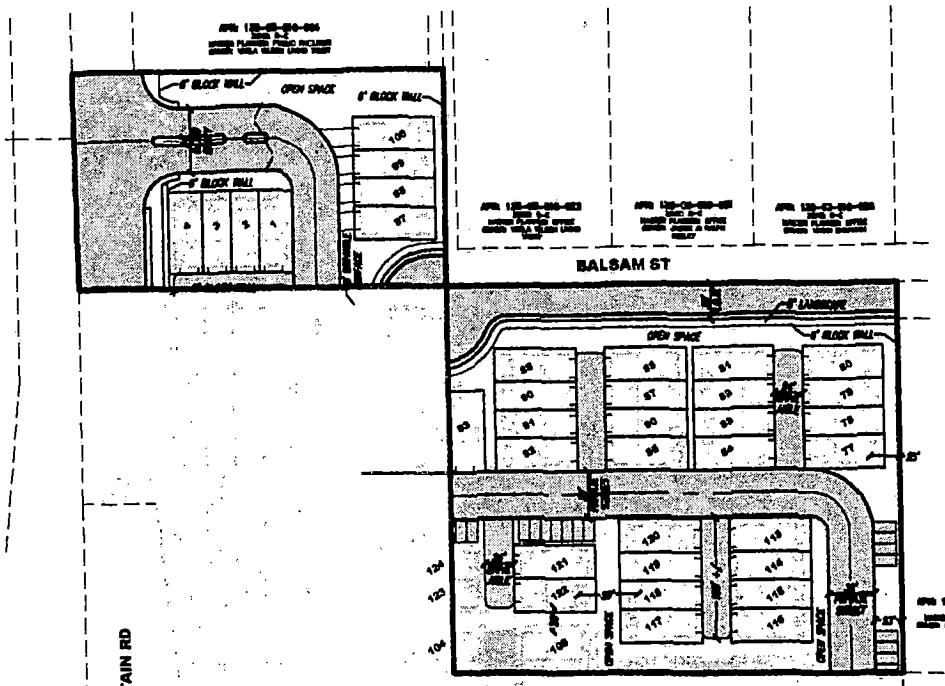


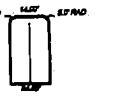
60' PUBLIC STREET HALF-SECTION (BALSAM ST. & RED COACH AVE.)
NOT TO SCALE



30' PRIVATE STREET SECTION (INTERNAL)
NOT TO SCALE







TYPICAL 24' DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SETBACKS
FRONT - 5' W/ 1.5' ALLOWABLE ENCROACHMENT
REAR - 6' W/ 2.5' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

OWNER
139-03-310-001, 002 & 071
SF INVESTMENTS LLC
4511 W. CHEYENNE AVE. #103
NORTH LAS VEGAS, NEVADA 89032

139-03-310-003
CITY OF LAS VEGAS
400 E. STEWART AVE.
LAS VEGAS, NV 89101

139-03-310-023
SEYOT CHAMPONEAU
4743 BALSAM ST.
LAS VEGAS, NV 89108

139-03-310-024
RAYMOND LANTON
4723 BALSAM ST.
LAS VEGAS, NV 89108

139-03-310-023
MYRA & LEE GOOLICAN
4705 BALSAM ST.
LAS VEGAS, NV 89108

DEVELOPER
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE. SUITE #103
LAS VEGAS, NEVADA
(702) 873-7773

ASSESSORS PARCEL NUMBER:
139-03-301-001, 002, 003, 023, 024, 025 & 071

OVERALL TABULATIONS

EXISTING ZONING	R-E
PROPOSED ZONING	R-PD10
EXISTING LAND USE	G
PROPOSED LAND USE	ML4
# OF UNITS	124
GROSS ACREAGE	12.0 ACRES +/-
DENSITY	10.3 D.U.A.
OPEN SPACE REQUIRED	2.04 AC (88,123 SF)
OPEN SPACE PROVIDED	2.62 AC (113,868 SF)

NOTES
1. ALL BUILDINGS TO BE SPRINKLED PER CITY OF LAS VEGAS FIRE CODE REQUIREMENTS.
2. UNITS 97-100 SHALL HAVE DRIVEWAYS NO SHORTER THAN 18'.

DEVIATION OF STANDARDS
1. NON-STANDARD KNUCKLES
2. DEAD END STREET WITH NO TURN AROUND (EMERGENCY ACCESS ONLY)

DEVELOPER
ROYAL CONSTRUCTION
4511 W. CHEYENNE AVE., SUITE #103
LAS VEGAS, NEVADA
(702) 873-7773

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7251 Hidden Avenue Las Vegas, NV 89129 Office 702.254.7701 Fax 702.304.7702

SHEET: SITE PLAN TO ACCOMPANY ZONE CHANGE

TITLE: SPINNAKER VILLAGE II - PHASE II
CITY OF LAS VEGAS, NEVADA

DATE: MARCH 8, 2005
DRAWN BY: B. BAUER
DESIGNED BY: B. BAUER
CHECKED BY: R. SHAW
SCALE: 1" = 40'
PROJECT NO: RC-0009
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO.

ZON-6327
04/28/05 PC

LAS VEGAS r s CONSULTING, INC. STRATEGIC PLANNING SOLUTIONS NEVADA

March 14, 2005

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village II General Plan Amendment, Rezoning and Site Development Plan Review for APN # 138-03-510-001,002,003,023,024,024,031**

On behalf of Royal Construction we respectfully request your consideration of the attached General Plan Amendment, Rezoning and Site Development Plan Review applications.

Location: The proposed 12.0 acre± site is located east of U.S. 95 (Oran K Gragson Highway) and south of Lone Mountain Road.

Request: At this time, Royal Construction is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to R-PD10 for a 124 unit single family attached residential development on 12.0 acres± (138-03-510-001,002,003,023,024,025 and 031) with a proposed density of 10.3 ± dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-6060-05) for parcels 138-03-510-023,024,025 into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on March 24, 2005.

Background/Justification: In referencing our previously approved plans for a General Plan Amendment (GPA-5823-04), Zone Change (ZON-5827-04) and Site Development Review (SDR-5826-04) which was approved by City Council on March 2, 2005. Royal Construction made commitments to the neighborhood and the City of Las Vegas with respect to our Phase II for the overall project that includes additional parcels and the previously approved applications. The plans that we are submitting reflect our commitment to this project, the neighborhood and conditions of approval for the overall plan.

Development Standards: All interior streets will be 39.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2.5' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: 2.04 acres± (89,123 s.f.±)
Open Space Provided: 2.62 acres± (113,958 s.f.±)

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r S CONSULTING, INC.
NEVADA
STRATEGIC PLANNING SOLUTIONS

Deviation of Standards: Additionally, we will be requesting minor deviations of the City Standards for reduced knuckle radii and to allow a street to terminate with no turn around as this was based on our redesigned plans and the previous approval of "no access" to Red Coach Drive, as emergency access only will be allowed onto Red Coach. Also in referencing our development standards, please note that these attached single family homes will be sprinkled based on discussions with the City of Las Vegas Fire Engineer.

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Sloane
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

Telephone Protest/ Approval Log

Meeting Date: 4/28 **Case Number:** 6-PA-06321
SDR-06332, ZON-632

Date: 4/20
Name: Jackie Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **PROTEST** ☐ **APPROVE**

Date: 4/20
Name: Ralph Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **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**

City of Las Vegas

Agenda Item No.: 55

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-6332 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6321 AND ZON-6327 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL - Request for a Site Development Plan Review FOR A PROPOSED 124 LOT SINGLE-FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road (APN 138-03-510-001, 002, 003, 023, 024, 025 and 031), R-E (Residence Estates) Zone, U (Undeveloped) Zone [PR-OS (Park/Recreation/Open Space) General Plan Designation], R-E (Residence Estates) and U (Undeveloped) Zones [O (Office) General Plan Designation] under Resolution of Intent to R-PD10 (Residential Planned Development - 10 units per acre) Zone [PROPOSED: R-PD10 (Residential Planned Development - 10 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted at Meeting – List of Additional Suggested Conditions, submitted by Attorney Chris Kaempfer; Excerpt from Declaration of Restrictions, Ordinance 61, submitted by Mary Klosowski

MOTION:
DAVENPORT – APPROVED subject to conditions and amending the following conditions:
- ***The crash gate at Red Coach Avenue is to be eliminated subject to an approval of the Fire Department.***
- ***The crash gates at Balsam Street and Red Coach Avenue may not be converted to through access.***

– UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is presently under contract with Royal Construction and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 55 – SDR-6332

MINUTES:

See Item 53 [GPA-6321] for related discussion on Item 53 [GPA-6321], Item 54 [ZON-6327] and Item 55 [SDR-6332].

(9:31 – 10:14)

3-459

CONDITIONS:

Planning and Development

1. A General Plan Amendment (GPA-6321) and Rezoning (ZON-6327) approved by the City Council.

2. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.

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

4. The setbacks for this development shall be a minimum of 5 feet to the front of the house [with 1.5-foot allowable encroachment both architectural/livable (faces open space)], 3.5 feet on the side, 3.5 feet on the corner side, and 6 feet in the rear [with 2.5-foot allowable encroachment both architectural/livable (garage/private drive)].

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, depicting the integration of the multi-use trail and its integration into the overpass along the south right-of-way line of Lone Mountain Road; and depict eight-foot perimeter block walls instead of six feet.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

CONDITIONS – Continued:

7. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

8. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

9. Air conditioning units shall not be mounted on rooftops.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

11. Any property line wall shall be an eight feet tall decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

15. Submit a Petition of Vacation for the 20-foot alley in both the City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map for this site, and the Final Map must show the Recorder's numbers of the Vacations.

16. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

17. The 24-foot drive isles shall be labeled as private drives on the Tentative Map and shall be defined as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

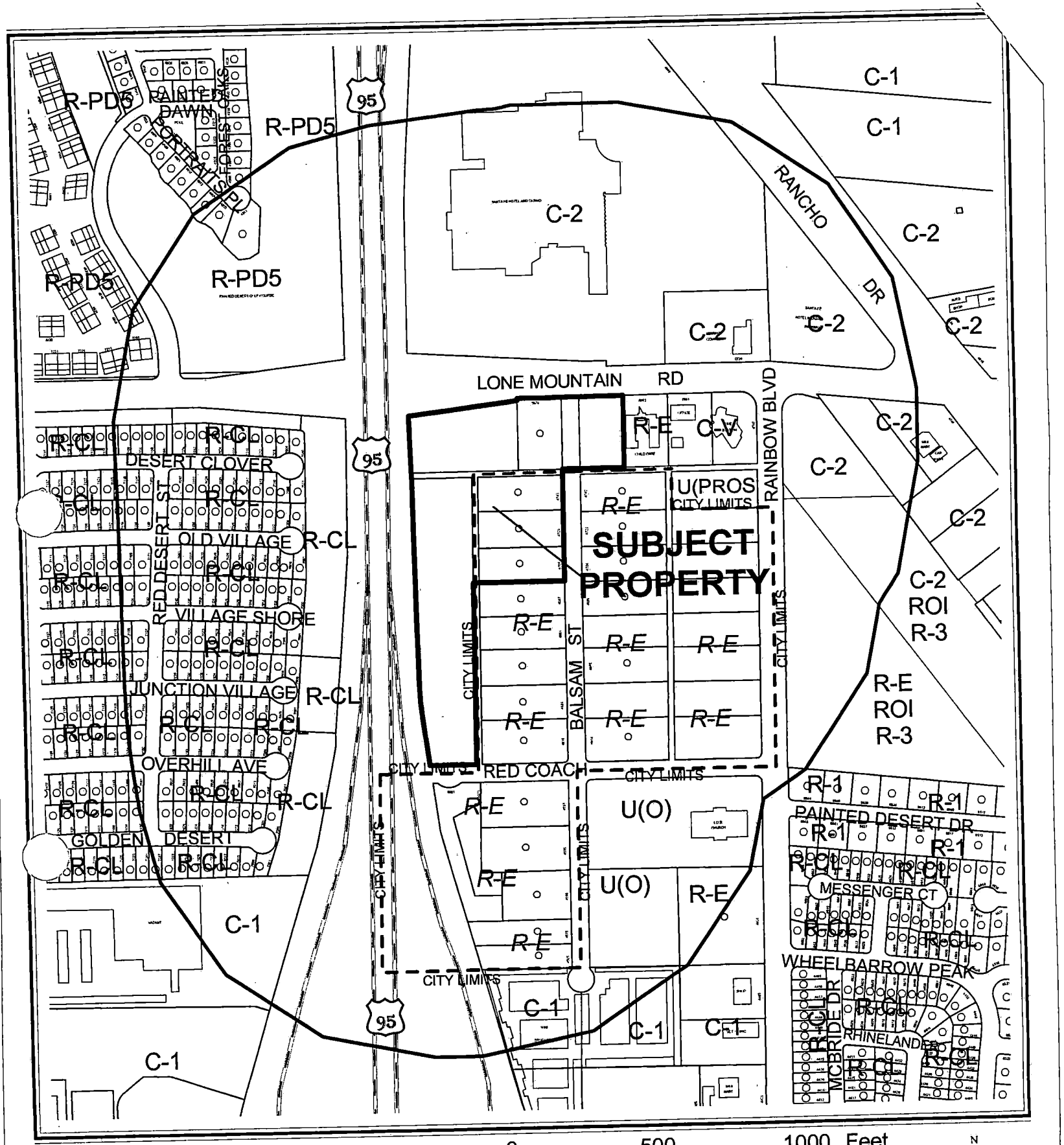
CONDITIONS – Continued:

18. 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.

19. 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.

20. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5827, ZON-6327 and all other applicable site-related actions.

21. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that this site plan has been designed without knuckles.



0 500 1000 Feet

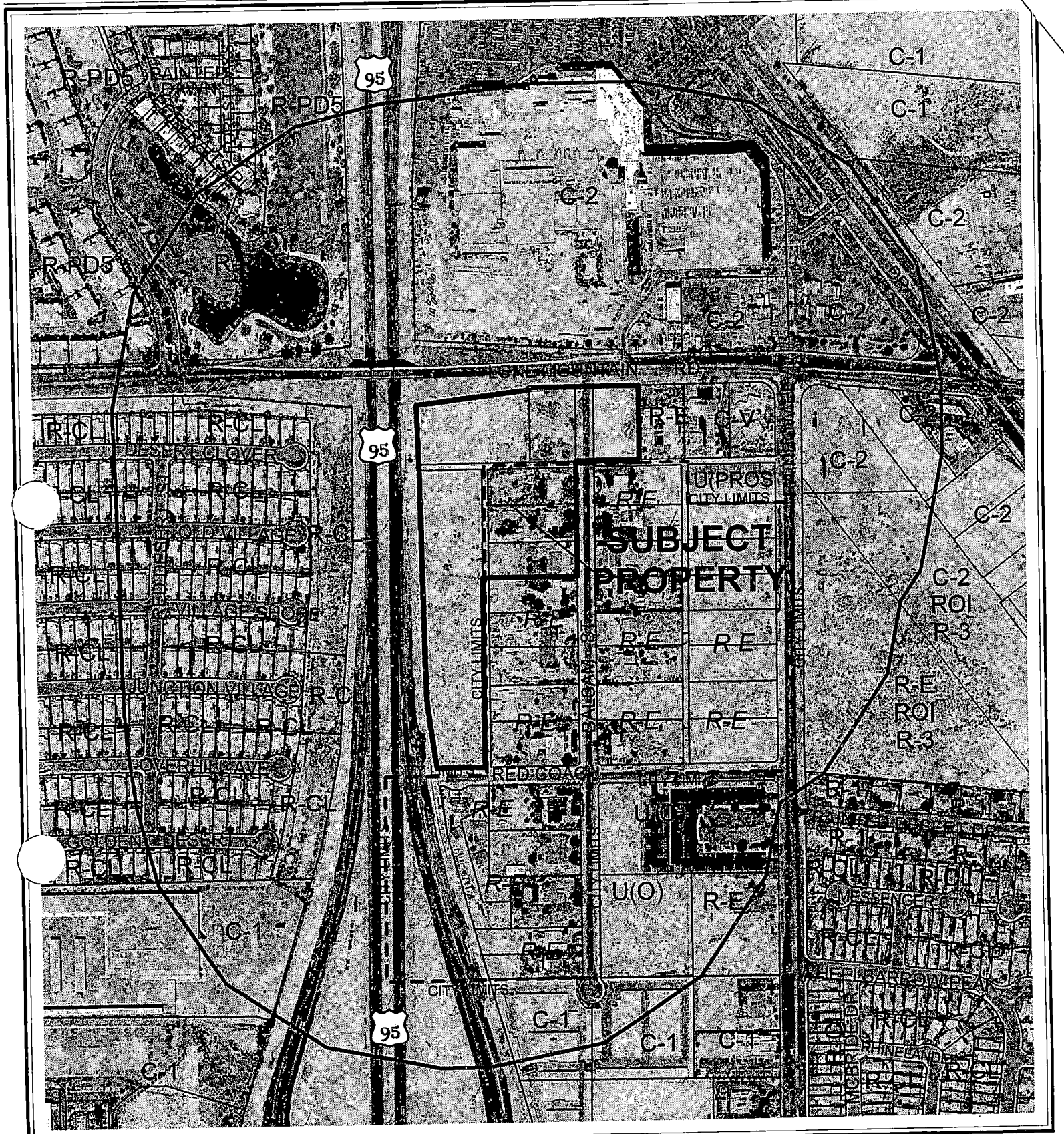
N

CASE: **SDR-6332**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) ZONE AND U (UNDEVELOPED) ZONE [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES), U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)



CASE: **SDR-6332**

0 500 1000 Feet

N

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:
R-E (RESIDENCE ESTATES) ZONE AND U (UNDEVELOPED) ZONE [PR-OS (PARKS/RECREATION/OPEN SPACE) GENERAL PLAN DESIGNATION] AND R-E (RESIDENCE ESTATES), U (UNDEVELOPED) ZONE [O (OFFICE) GENERAL PLAN DESIGNATION] UNDER RESOLUTION OF INTENT TO R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD10 (RESIDENTIAL PLANNED DEVELOPMENT - 10 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6332 - APPLICANT: ROYAL CONSTRUCTION - OWNER: SF INVESTMENTS, LLC, ET AL

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A General Plan Amendment (GPA-6321) and Rezoning (ZON-6327) approved by the City Council.

2. Provide a multi-use trail to be constructed along the south right-of-way line of Lone Mountain Road, to meet the requirements of the Master Plan Transportation Trails Element, particularly with the specifications shown in Exhibit 1. Accordingly, a lighted trail with landscaping shall be provided along its entire length. Detailed construction drawings of the trail shall be submitted to and approved by the Planning and Development Department prior to the submittal of any development permits for this site. Additionally, the trail is to be integrated into the Lone Mountain Road overpass to create a seamless flow of the trail path.

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

4. The setbacks for this development shall be a minimum of 5 feet to the front of the house [with 1.5-foot allowable encroachment both architectural/livable (faces open space)], 3.5 feet on the side, 3.5 feet on the corner side, and 6 feet in the rear [with 2.5-foot allowable encroachment both architectural/livable (garage/private drive)].

5. The site plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a tentative map, depicting the integration of the multi-use trail and its integration into the overpass along the south right-of-way line of Lone Mountain Road; and depict eight-foot perimeter block walls instead of six feet.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect minimum 24-inch box trees planted a maximum of 20 feet on-center and a minimum of four five-gallon shrubs for each tree within provided planters.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

PL

8. 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.

9. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. All development shall be in conformance with the site plan and building elevations, except as amended by conditions herein.

11. Air conditioning units shall not be mounted on rooftops.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Municipal Code Section 19.12.050.

13. Any property line wall shall be an eight feet tall 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.

14. 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.

15. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

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

Public Works

17. Submit a Petition of Vacation for the 20-foot alley in both the City and Clark County jurisdictions for all rights-of-way in conflict with the proposed site plan. Orders of Vacation for both the City and County properties shall record concurrently and must be recorded prior to recordation of a Final Map for this site, and the Final Map must show the Recorder's numbers of the Vacations.

18. Gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222a.

19. The 24-foot drive isles shall be labeled as private drives on the Tentative Map and shall be defined as public utility easements (P.U.E.), City of Las Vegas sewer easements and public drainage easements to be privately maintained by the Homeowner's Association.

PL

20. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-5827, ZON-6327 and all other applicable site-related actions.

23. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that this site plan has been designed without knuckles.

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 124-lot single-family attached residential development on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. A related General Plan Amendment (GPA-6321) application to amend a portion of the Centennial Hills Sector Plan of General Plan to MLA (Medium-Low Attached Density Residential) on a portion of the overall site and a Rezoning (ZON-6327) application for the reclassification of portion of the total acreage to R-PD10 (Residential Planned Development - 10 units per acre) will also be considered on this agenda.

B) Applicant's Justification

The applicant justifies this application by referencing their previously approved General Plan Amendment (GPA-5823), Rezoning (ZON-5827) and Site Development Plan Review (SDR-5826), which were approved by the City Council on 03/02/05, while stating that during said process of approval made commitments to the neighborhood and the City of Las Vegas with respect to their Phase II for the overall project that includes additional parcels and previously approved applications. They go further to state that the submitted plans reflect their commitment to this project, the neighborhood and conditions of approval for the overall plan.

BACKGROUND INFORMATION

A) Related Actions

02/16/05 The City Council approved a Petition to Annex (ANX-5100) property generally located on the east side of U.S. 95, south of Lone Mountain Road (APN 138-03-510-001, 002 and 031), containing approximately 7.02 acres. The effective date of this annexation was 2/25/05. Planning Commission recommended approval on 12/16/04.

03/02/05 The City Council approved a General Plan Amendment (GPA-5823) application to amend a portion of the Centennial Hills Sector Plan) of the General Plan from O (Office) to MLA (Medium-Low Attached Density Residential) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

PL

03/02/05 The City Council approved a Rezoning (ZON-5827) application to from R-E (Residence Estates) and U (Undeveloped) [O (Office) General Plan Designation] to R-PD10 (Residential Planned Development - 10 units per acre) on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

03/02/05 The City Council approved a Site Development Plan Review (SDR-5826) application for a proposed 78-lot single-family attached residential development on 7.80 acres adjacent to the southwest corner of Balsam Street and Lone Mountain Road. The Planning Commission recommended denial on 01/27/05.

04/28/05 The Planning Commission will consider a General Plan Amendment (GPA-6321) application to amend a portion of the Centennial Hills Sector Plan of the General Plan from PR-OS (Park/Recreation/Open Space) And O (Office) to MLA (Medium-Low Attached Density Residential) on 3.26 acres at 4705, 4723 and 4743 Balsam Street and on property adjacent to the southeast corner of Lone Mountain Road and Balsam Street. Staff is recommending approval.

04/28/05 The Planning Commission will consider a Site Development Plan Review (SDR-6332) application for a for a proposed 124 lot single-family attached residential development on 12.00 acres adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. Staff is recommending approval.

05/04/05 The City Council will consider an Annexation (ANX-6060) application to Petition for the annexing of land generally located on the west side of Balsam Street, 270 feet south of Lone Mountain Road, containing approximately 2.4 acres. The Planning Commission recommended approval on 03/24/05. [The effective date is 05/27/05 pending approval of City Council.]

B) Pre-Application Meeting

03/03/05 A pre-application conference was held and resulted in the following comments:

1. The request is adding 46 lots to SDR-5826, therefore increasing it from 78 to 124 to meet the 10.49 dwelling units per acre.
2. For the additional parcels to incorporated into the development the applicant will require a General Plan Amendment (GPA), Rezoning (ZON), Site Development Plan Review (SDR) and Vacation (VAC).
3. The GPA will change the subject property's land use designation from PR-OS (Park/Recreation/Open Space) And O (Office) to MLA (Medium-Low Attached Density Residential).
4. The ZON will change the subject property's zoning from U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] and R-E (Residence Estates) to R-PD10 (Residential Planned Development – 10 units per acre).

PL

5. The SDR will address the whole site in regards to the 124 lots.
6. The VAC shall Balsam Street and the alleyway.
7. Public Works requires deviations be approved for the knuckles and cul-de-sacs.
8. A new drainage study is required for the additional area.
9. A traffic signal impact fee will be imposed.
10. 39-foot private streets with roll curbs are proposed.
11. Label the crash gate of the plans.

C) Neighborhood Meetings

A neighborhood meeting was held on 03/28/05 at the Centennial Academy located at 6610 Grand Montecito Parkway regarding the companion General Plan Amendment (GPA-6321), as well as Rezoning (ZON-6327) and Site Development Plan Review (SDR-6332) applications. Details of the meeting are discussed in the before mentioned staff report.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 12.00

B) Existing Land Use

Subject Property:	Undeveloped [Proposed Single-Family Residential Development (SDR-5826 & SDR-6332)]
	Single Family Residential Dwellings
North:	Santa Fe Hotel and Casino
South:	Single-Family Residential Dwellings
East:	Single-Family Residential Dwellings
	Child Care Center [Lone Mountain Creative Learning Center (N16-00029)]
West:	US Interstate 95
	Single-Family Residential Dwellings

C) Planned Land Use

Subject Property:	MLA (Medium-Low Attached Density Residential)
	PR/OS (Parks/Recreation/Open Space)
	O (Office) [Proposed MLA (Medium-Low Attached Density Residential) (GPA-6321)]
North:	GC (General Commercial)
South:	PF-CC (Public Facility – Clark County)
	O (Office)
East:	PR/OS (Parks/Recreation/Open Space)
	PF-CC (Public Facility – Clark County)
	O (Office)
West:	ROW (Right-of-Way)
	ML (Medium-Low Density Residential)

PL

D) Existing Zoning

Subject Property: U (Undeveloped) Zone [PR/OS (Parks/Recreation/Open Space) General Plan Designation] & R-E (Rural Estates Residential) Clark County [R-E (Residence Estates) upon annexation (ANX-6060) effective date (05/27/05)] [Proposed R-PD10 (Residential Planned Development – 10 units per acre) (ZON-6327)] & U (Undeveloped) Zone [MLA (Medium-Low Attached Density Residential) General Plan Designation] Under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) & R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre)

North: C-2 (General Commercial)

South: R-E (Rural Estates Residential) Clark County

East: R-E (Rural Estates Residential) Clark County
R-E (Residence Estates)

West: R-CL (Single Family Compact-Lot)

E) General Plan Compliance

The subject properties are currently designated PR/OS (Parks/Recreation/Open Space) & O (Office) & MLA (Medium-Low Attached Density Residential) within the Centennial Hills Sector Plan of the General Plan and are proposed via General Plan Amendment (GPA-6321) to become MLA (Medium-Low Attached Density Residential). The Medium Low Attached Density Residential category permits a maximum of 12 units per gross acre. The proposed development of a 124-lot single-family attached residential development with a density of 10.3 units per acre would be in conformance with the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		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

The subject parcel is not part of or impacted by any Special Are Plan and or Special Overlay District.

Multi-Use Non-Equestrian Trail

A Multi-Use Non-Equestrian Trail is proposed along the southern alignment of Lone Mountain Road. The subject site's northern property line abuts the right-of-way at a junction where as Lone Mountain Road passes over the US 95, therefore the proposed trail will have to be tied into the said overpass.

PL

Special Notification

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

PROJECT DESCRIPTION

The applicant has previously gained approval for a 78-lot single-family attached residential development (GPA-5823, ZON-5827 and SDR-5826) on 7.8 acres to the west and north of the subject parcels at the 03/02/05 City Council meeting. The applicant has now acquired an additional 3.26 acres and proposes to incorporate it into a redesigned 124-lot single-family attached residential subdivision on 12.00 acres. The proposed development will maintain a density of 10.3 dwelling units per acre. The site will be accessed from Lone Mountain Road via a gated entry and be composed of 39-foot private streets with 'L' curbing and 24-foot private drives for internal circulation and access to individual 4-plex units. The product to be placed within the development will be two-story single-family attached four-plex residences, that range in size from 1,700 s.f. to 1,821 s.f.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Required	Provided	Compliance
Min. Setbacks • Front	5 Feet [with a 1.5-foot allowable encroachment both architectural/livable]	5 Feet [with a 1.5-foot allowable encroachment both architectural/livable]	Yes
• Side	3.5 Feet.	3.5 Feet.	Yes
• Corner	3.5 Feet.	3.5 Feet.	Yes
• Rear	6 Feet [with a 2.5 feet allowable encroachment both architectural/livable]	6 Feet [with a 2.5 feet allowable encroachment both architectural/livable]	Yes
Building Height	Two-Stories	Two-Stories	Yes

PL

The proposed lot sizes, setbacks and building height are appropriate for a residential project of this nature.

A2) Residential Adjacency Standards

The Residential Adjacency Standards are not applicable to the proposed development.

A3) Parking and Traffic Standards

The submitted floor plans depict a two-car garage being attached to each of the units within a four-plex. In addition that developer is providing 49 parking spaces located throughout the development. With a total of 297 parking spaces the proposed development exceeds the required parking for such a project.

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	20 Trees	29*
• Min. Zone Width	6 Feet		Yes

The proposed landscaping meets the requirements set forth by Title 19.12, however the proposed size of the Heritage Live Oaks and the Thornless Texas Honey Mesquites is 15-inch box, when in fact the minimum tree size permitted is 24-inch box. Therefore this application will be conditioned for a revised site plan.

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
12.00 acres	10.33	1.65	17.05%	89,124 SF	22%	113,958 SF

The proposed amount of open space exceeds the required square footage determined by Title 19. The largest concentration of open space exists at the northwestern portion of the site and is connected to an open space trail running almost the entire length of the western property line alignment. Additional open space exists along the eastern property line alignment and will be accessible to the entire proposed development.

PL

B) General Analysis and Discussion

- Zoning

The applicant is proposing to rezone the subject parcels to R-PD10 (Residential Planned Development – 10 units per acre) in order to incorporate them into the proposed 124-lot single-family attached residential development. The proposed development will maintain a density of 10.3 units per acre. As the subject properties are to be an extension of an approved residential planned development the proposed Rezoning (ZON-6327) is in conformance with the General Plan and is compatible with development in the area.

- Site Plan

The proposed site plan indicates a 124 lot single-family attached residential development on 12 acres located adjacent to the southeast corner of U.S. 95 and Lone Mountain Road. The proposed subdivision will consist of 124 lots the size of approximately 1,375 square feet, which results in units per acre (DUA) of 10.3. The proposed site plan indicates the development will have access from Lone Mountain Road, a Primary (100 foot) Arterial as defined and depicted Master Plan of Streets and Highways, as well as have emergency crash gates located on Red Coach Avenue and Balsam Street, both of which are defined as a 60-foot collector streets. Interior to the site the plan indicates 39 foot private streets and 24 foot private drives. The site plan illustrates a Multi-Use Non-Equestrian Trail abutting the southern alignment of Lone Mountain Road for a distance of approximately 135 feet. A six-foot landscape planter runs the remaining portion of said alignment. The site plan indicates an areas of open space being located around the entire site and being accessible to the residents of the development. The site plan also calls out a six-foot block wall along the entire perimeter of the development. Issue has been raised concerning the height of the block walls, therefore this application has been conditioned so all perimeter block walls will be eight feet in height.

- Waivers

The applicant is not requesting any waivers.

- Landscape Plan

The landscape plan indicates the use of 24-inch box Chitalpa trees, 15-inch box Thornless Texas Honey Mesquite and Heritage Live Oak trees and 25 feet tall Mexican Fan Palms, as well as a host of different 1 and 5-gallon shrubs. The plan depicts the spacing of trees along the perimeter of the entire property at approximately 20 feet on center. However, along the northern property line abutting Lone Mountain Road, the trees being used fail to meet the minimum size requirement. Therefore, a revised landscape plan will be required.

PL

- Elevation

  The variation of the planar wall elements adds interest and assists in reducing the massing of the structures.

- Floor Plan

  The floor plans depict a two-story single-family attached residential unit with an attached two-car garage.

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;"**

   Three of the subject parcels are zoned R-PD10 (Residential Planned Development – 10 units per acre), which allows a maximum density of up to 10.49 dwelling units per acre. The addition of the remaining subject parcels into the previously approved development would result in a density of 10.3 dwelling units per acre, which was found compatible with the surrounding area by the City Council on 03/02/05.

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

   With the approval of General Plan Amendment (GPA-6321) all of the subject parcels will be designated MLA (Medium-Low Density Residential) within the Centennial Hills Sector Plan of the General Plan. Upon approval of Rezoning (ZON-6327) all of the subject parcels will be under a Resolution of Intent to R-PD10 (Residential Planned Development – 10 units per acre) and will be in conformance with the General Plan. With the revising of the planting material to be used for landscaping the development will be in conformance with the Design Standards Manual.

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

   The site will only have access from Lone Mountain Road, a Primary (100-foot) Arterial as defined and depicted Master Plan of Streets and Highways, and will not access the surrounding neighborhoods. Therefore, not negatively impacting adjacent roadways or neighborhood traffic.

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

   With the revising of the planting material to be used for landscaping to 24-inch box trees along the northern property alignment, all of the building materials and landscape materials are appropriate for the area and the City.

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

   The use of both stucco and stone veneer, combined with a harmonious color palette, results in a development that is both visually pleasing and appropriate to its context.

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.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 10

NOTICES MAILED 195 [Mailed with GPA-6321 and ZON-6327]

APPROVALS 0

PROTESTS 2

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6332 APN: 138-03-510-001,002,031

Name of Property Owner: SF INVESTMENTS

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes _____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Stephen B. Aizenberg

Print Name: STEPHEN B. AIZENBERG

Subscribed and sworn before me

This 15th day of March, 2005

J. Rosanna Estrada

Notary Public in and for said County and State

NOTARY PUBLIC
STATE OF NEVADA
My Appt. Exp. Aug. 4, 2007

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6332 APN: 138-03-510-003

Name of Property Owner: CITY OF LAS VEGAS

Name of Applicant: RS CONSULTING INC

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

_____Yes ____X____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: K. John McNellis 3/15/05

Print Name: John McNellis, Deputy Director Public Works

Subscribed and sworn before me

This 15 day of March, 2005

John Crolli

Notary Public in and for said County and State County of Clark State of Nevada

JoANN CROLLI
Notary Public State of Nevada
No. 02-79131-1
My appt. exp. Nov. 14, 2006

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6332 APN: 138-03-510-024

Name of Property Owner: RAYMOND P LANYON

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes X_____No

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

City Official: _____

Partner(s): _____ _____

APN: _____

X Signature of Property Owner/Authorized Agent: Raymond Lanyon

Print Name: Raymond P. Lanyon

Subscribed and sworn before me

This 21st day of JANUARY, 2005

Michelle L. Okrent

Notary Public in and for said County and State

MICHELLE L. OKRENT
Notary Public, State of Nevada
Appointment No. 03796591
My Appt. Expires Jan. 14, 2007

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6332 APN: 138-03-510-023

Name of Property Owner: SERGE CHARBONNEAU

Name of Applicant: ROYAL CONSTRUCTION

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: SERGE CHARBONNEAU

Subscribed and sworn before me

This 19th day of JAN, 2005

_____
Notary Public in and for said County and State

Notary Public
County of Clark
SUE S. RAY
My Appointment Expires

Revised 2/12/02

f:\dcpot\Application Packet\Statement of Financial Interest.doc

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6332** PN: 138-03-510-025

Name of Property Owner: HOWARD LEE & MYRA P COOLICAN

Name of Applicant: ROYAL CONSTRUCTION

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

_____Yes __✓__No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner/Authorized Agent: Myra P. Coolican

Print Name: MYRA P. COOLICAN

Subscribed and sworn before me

This 24th day of JANUARY, 2005

Elizabeth H. Neubauer

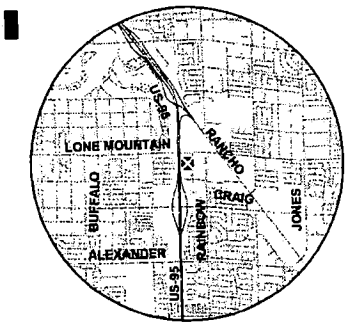
Notary Public in and for said County and State

ELIZABETH H. NEUBAUER
Notary Public, State of Nevada
Appointment No. 02-76845-1
My Appt. Expires July 17, 2006

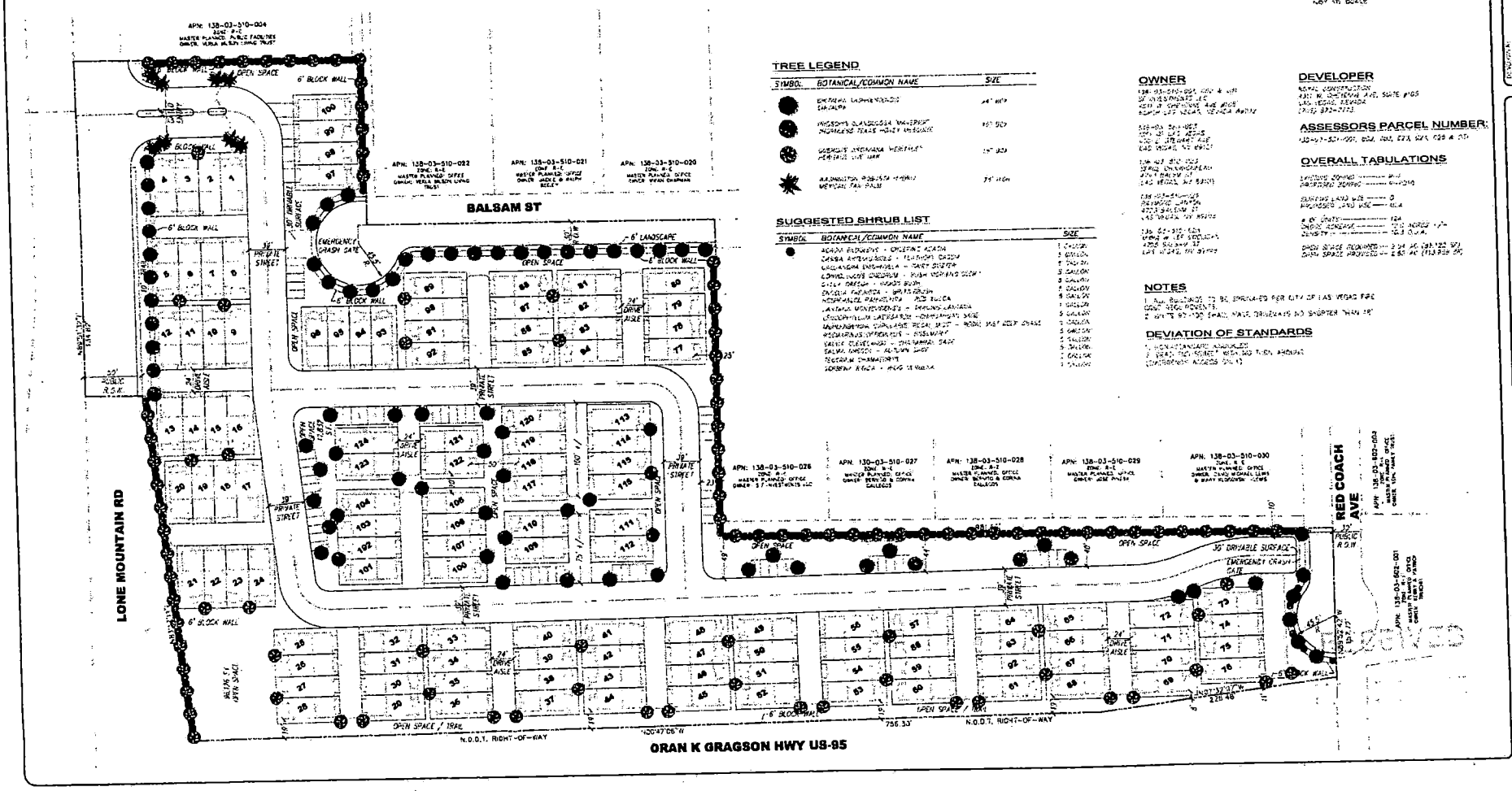
ZON-6327
SDR-6332
04/28/05 PC

SPINNAKER VILLAGE II - PHASE II

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION



VICINITY MAP
NOT TO SCALE



TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	EREMOPHILA LANCEOLATA EMU BUSH	24" BOX
	HYMENOSPORUM FLAVUM SWEETSHADE HUMMINGBIRD TREE HONEY HIBISCUS	15" BOX
	WASHINGTONIA FILIFERA 'MEXICANA' MEXICAN FAN PALM	15" BOX
	WASHINGTONIA ROBUSTA 'MEXICANA' MEXICAN FAN PALM	25' HIGH

SUGGESTED SHRUB LIST

SYMBOL	BOTANICAL/COMMON NAME	SIZE
	ACACIA REDOLENS - DARLING'S ACACIA	1 GALLON
	CASSIA ANTHISSIOIDES - FEATHERY CASSIA	5 GALLON
	LEUCADENDRON ENGELMANNII - GREY BEAUTY	5 GALLON
	LOMATIUM DIVERSUM - WILD PARSNIP/FENNEL CELERY	5 GALLON
	SALVIA GREGGII - WOOD'S SAGE	5 GALLON
	SALVIA PACHYPHYLLA - BLUE SPRUCE	5 GALLON
	WESTRINGIA FRUTICOSA - COAST ROSEMARY	5 GALLON
	LANTANA MONTEVIDENSIS - TRAILING LANTANA	5 GALLON
	LEUCOPHYLLUM LANGMANIAE 'RIO BRAVO' SAGE	5 GALLON
	MUHLENBERGIA CAPILLARIS 'REGAL MIST' - REGAL MIST DEER GRASS	5 GALLON
	ROSMARINUS OFFICINALIS - ROSEMARY	5 GALLON
	VERBENA CANADENSIS - ORIENTAL SAGE	5 GALLON
	SALVIA GREGGII - WOOD'S SAGE	5 GALLON
	TECOMARIA CAPENSIS	5 GALLON
	XYLOSMA RACEMOSA - MOCK TROPICA	5 GALLON

OWNER

[illegible]

DEVELOPER

ROYAL CONSTRUCTION
[illegible]
LAS VEGAS, NEVADA
(702) 873-7733

ASSESSORS PARCEL NUMBER:

[illegible]

OVERALL TABULATIONS

EXISTING ZONING ——— R-E
PROPOSED ZONING ——— R-PD10

GROSS LAND AREA ——— 0
PROPOSED LAND USE ——— SFR

OF UNITS ——— 104
SINGLE FAMILY ——— 104
DENSITY ——— 10.3 D.U./A.

OPEN SPACE REQUIRED ——— 2.34 AC (101,930 SQ.)
OPEN SPACE PROVIDED ——— 2.65 AC (115,358 SQ.)

NOTES

1. ALL BUILDINGS TO BE SPRINKLED PER CITY OF LAS VEGAS FIRE DEPT. SPECIFICATIONS.
2. LOTS 91-100 SHALL HAVE DRIVEWAYS NO SHORTER THAN 18'.

DEVIATION OF STANDARDS

1. NON-STANDARD ARTERIAL
2. REAR YARD SETBACK WITH 3RD FLOOR ABOVE
3. [illegible]

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7455 Jackson Avenue Las Vegas, NV 89129 (702) 254-8777 Fax (702) 384-7707

ROYAL CONSTRUCTION
[illegible]
LAS VEGAS, NEVADA
(702) 873-7733

SITE PLAN TO ACCOMPANY
SITE DEVELOPMENT REVIEW

SPINNAKER VILLAGE II - PHASE II
CITY OF LAS VEGAS, NEVADA

DATE: MARCH 9, 2005
DESIGNED BY:
DRAWN BY:
CHECKED BY:
SCALE:
OVERALL SCALE:
APPROVED:
PROJECT NO.: RC-0009
ENGINEERING FILE:

SHEET 1 OF 1
DRAWING NO.
CCDD SITE-SDR 3-4-05.DWG



GPA-6321, ZON-6327, & SDR-6332 - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL
4705, 4723 AND 4743 BALSAM STREET
APRIL 28, 2005 PLANNING COMMISSION

3/31/05



GPA-6321, ZON-6327, & SDR-6332 - APPLICANT: ROYAL CONSTRUCTION - OWNER: CITY OF LAS VEGAS, ET AL
4705, 4723 AND 4743 BALSAM STREET
APRIL 28, 2005 PLANNING COMMISSION

3/31/05

LAS VEGAS rs NEVADA CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

March 14, 2005

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village II General Plan Amendment, Rezoning and Site Development Plan Review for APN # 138-03-510-001,002,003,023,024,024,031**

On behalf of Royal Construction we respectfully request your consideration of the attached General Plan Amendment, Rezoning and Site Development Plan Review applications.

Location: The proposed 12.0 acre± site is located east of U.S. 95 (Oran K Gragson Highway) and south of Lone Mountain Road.

Request: At this time, Royal Construction is requesting the consideration of a General Plan Amendment, Site Development Plan Review and Rezoning to R-PD10 for a 124 unit single family attached residential development on 12.0 acres± (138-03-510-001,002,003,023,024,025 and 031) with a proposed density of 10.3 ± dwelling units per acre (DUA). Additionally, we are currently in the process of an annexation (ANX-6060-05) for parcels 138-03-510-023,024,025 into the City of Las Vegas from Clark County that is scheduled to be heard by the Planning Commission on March 24, 2005.

Background/Justification: In referencing our previously approved plans for a General Plan Amendment (GPA-5823-04), Zone Change (ZON-5827-04) and Site Development Review (SDR-5826-04) which was approved by City Council on March 2, 2005. Royal Construction made commitments to the neighborhood and the City of Las Vegas with respect to our Phase II for the overall project that includes additional parcels and the previously approved applications. The plans that we are submitting reflect our commitment to this project, the neighborhood and conditions of approval for the overall plan.

Development Standards: All interior streets will be 39.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2.5' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: 2.04 acres± (89,123 s.f.±)
Open Space Provided: 2.62 acres± (113,958 s.f.±)

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

LAS VEGAS
r S CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

Deviation of Standards: Additionally, we will be requesting minor deviations of the City Standards for reduced knuckle radii and to allow a street to terminate with no turn around as this was based on our redesigned plans and the previous approval of "no access" to Red Coach Drive, as emergency access only will be allowed onto Red Coach. Also in referencing our development standards, please note that these attached single family homes will be sprinkled based on discussions with the City of Las Vegas Fire Engineer.

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Clarke
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

Telephone Protest/ Approval Log

Meeting Date: 4/28 **Case Number:** GPA-6321
SDR-6332, ZON-63

Date: 4/20
Name: Jackie Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **PROTEST** ☐ **APPROVE**

Date: 4/20
Name: Ralph Reeley
Address: 4722 Balsam Street
LV, NV
Phone: 645-1321
☑ **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**

City of Las Vegas

Agenda Item No.: 56

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

GPA-6333 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL - Request to amend a portion of the Centennial Hills Sector Plan of the General Plan FROM:RNP (RURAL NEIGHBORHOOD PRESERVATION), DR (DESERT RURAL DENSITY RESIDENTIAL) AND R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004 & 138-06-801-002), Ward 4 (Brown).

C.C.: 06/01/05

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

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the May 12, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

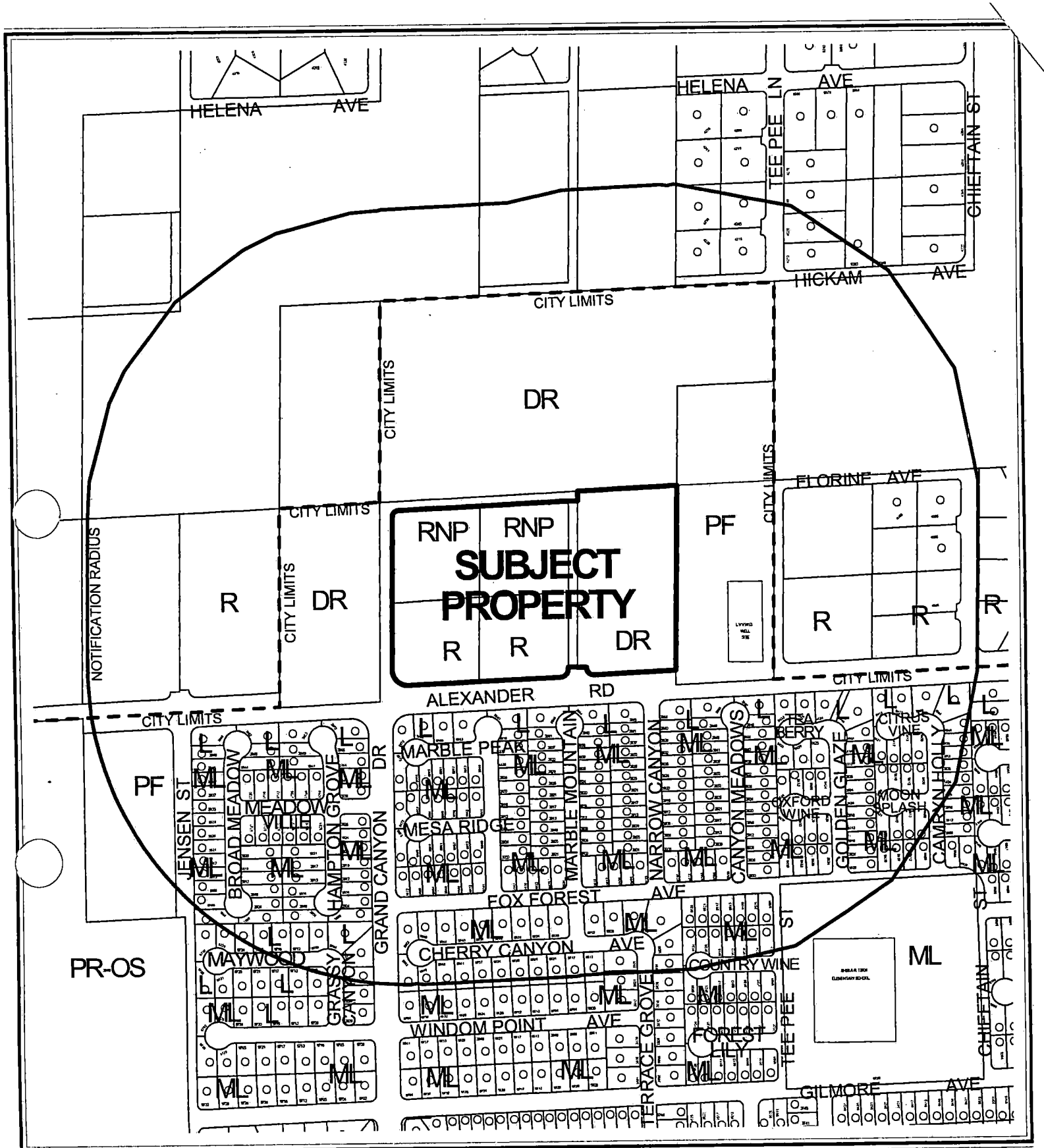
MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)



CASE: **GPA-6333**

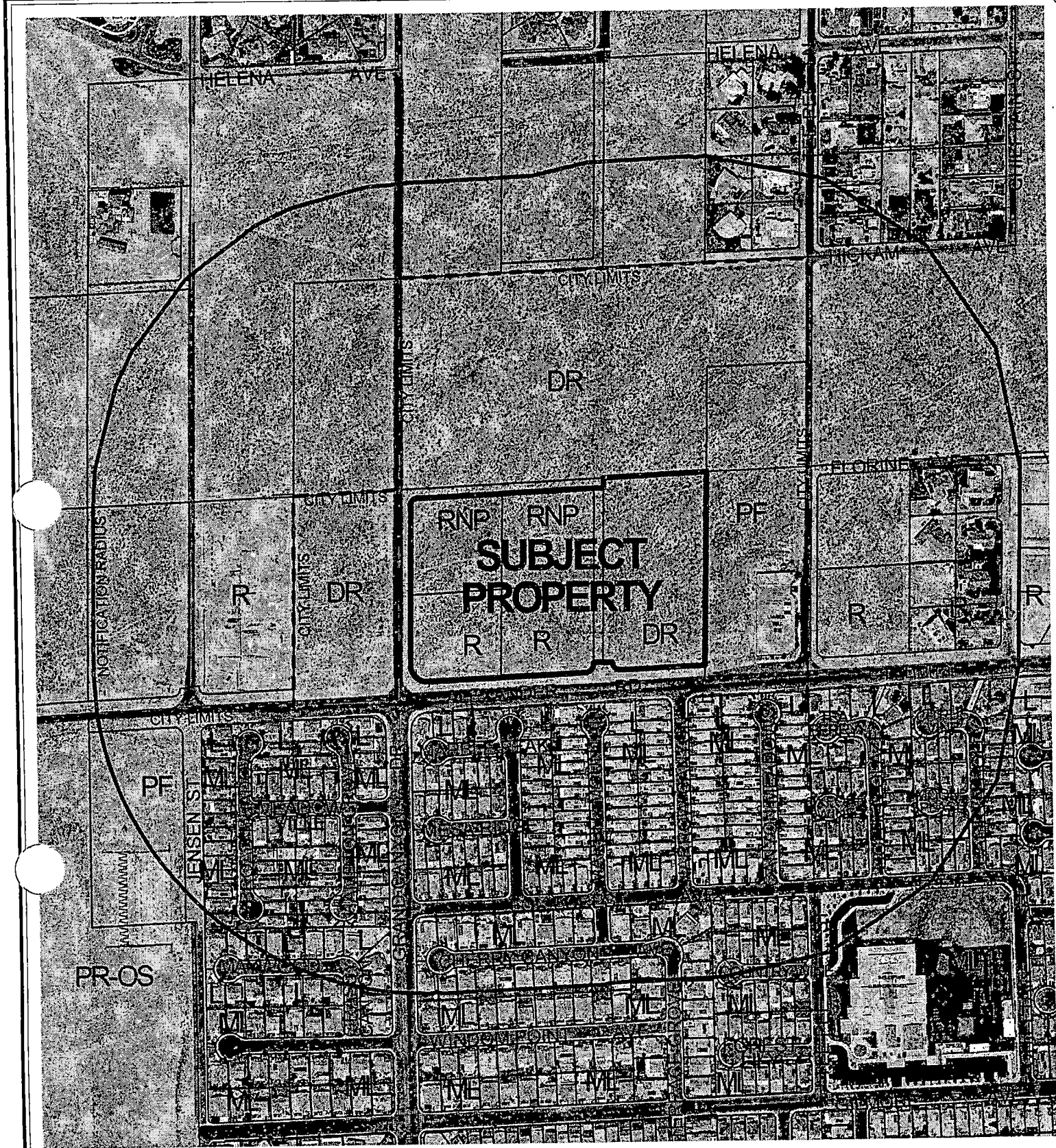
RADIUS: 1000 FT

0 400 800 Feet

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
RNP (RURAL NEIGHBORHOOD PRESERVATION), DR (DESERT RURAL DENSITY RESIDENTIAL) AND R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

N



CASE: **GPA-6333**

RADIUS: 1000 FT

0 400 800 Feet

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
RNP (RURAL NEIGHBORHOOD PRESERVATION), DR (DESERT RURAL DENSITY RESIDENTIAL) AND R (RURAL DENSITY RESIDENTIAL)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:
L (LOW DENSITY RESIDENTIAL)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: GPA-6333 - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL

ON APRIL 21, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005 PLANNING COMMISSION MEETING

DA

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: 702.796.7181

8600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

April 21, 2005

VIA FACSIMILE
385-7268

Mr. Gary Leobold
LAS VEGAS PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, NV 89101

Re: GPA-6333; ZON-6334; SDR-6336 & VAC-6163
Alexander/Grand Canyon

Dear Gary:

As you know, our office represents the applicant on the above-referenced matters. Pursuant to our telephone conferences, we are requesting to hold these matters from the scheduled Planning Commission meeting of April 28, 2005 until May 12, 2005. This will allow our client time to revise our plans and applications accordingly.

As we discussed, APN 138-06-802-001 and 002 will not be a part of GPA-6333. However, ZON-6334 and SDR-6336 will still include all of the parcels originally requested. The zone change and site development plan review revisions will be sent to you when they are finalized.

Thank you for your cooperation in this matter.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Bob Gronauer/mlt

Robert J. Gronauer

RJG/mlt

cc: David Bramlet (via fax: 658-5655)
Derek Allen (via fax: 474-0352)
Kim Bush (via fax: 645-5889)

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: GPA-6333 APN: 138-06-802-001 thru 004, 138-06-801-002

Name of Property Owner: Maple LLC or Maple Development LLC

Name of Applicant: Land Development & Investment Diversification

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: [signature]

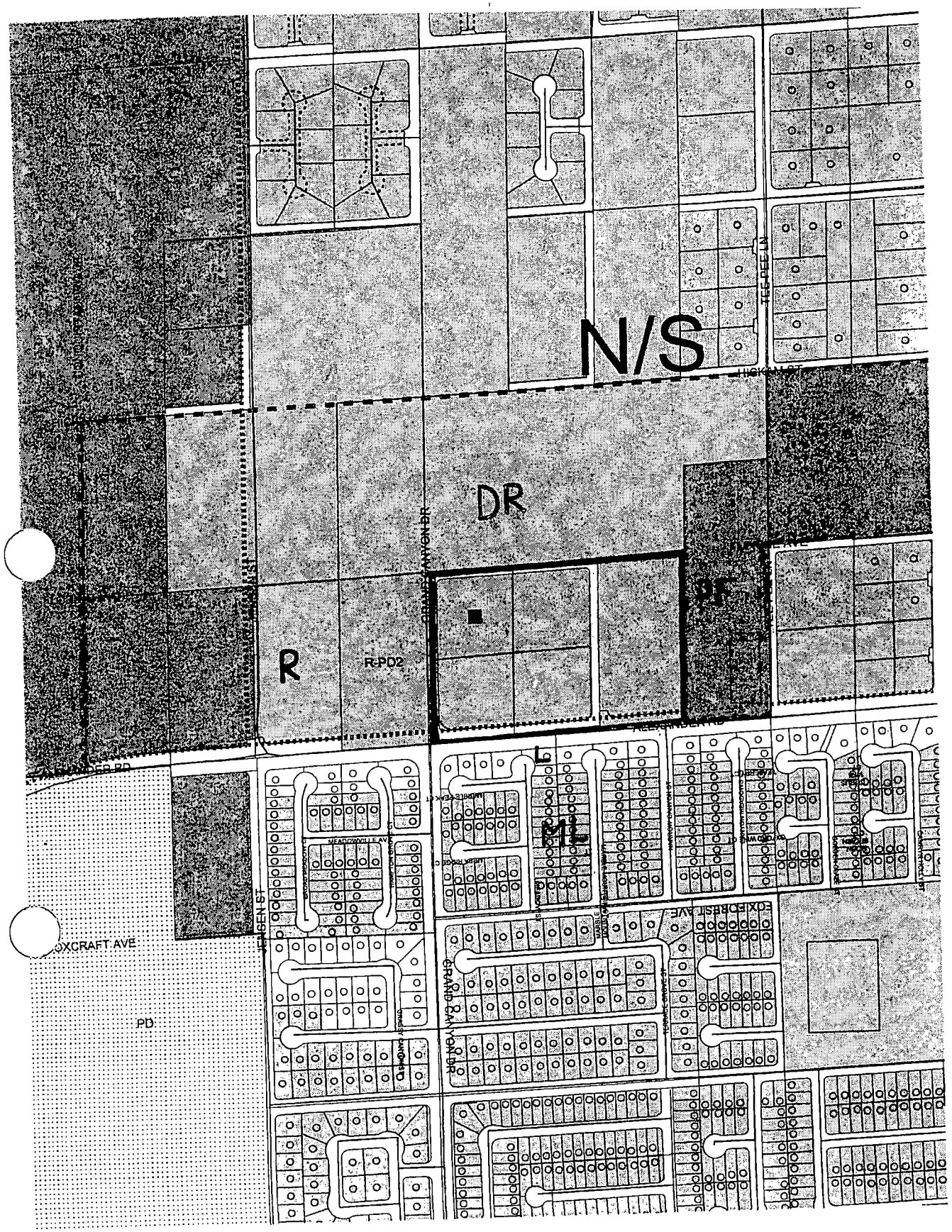
Print Name: Craig O. Brooksby

Subscribed and sworn before me

This 14 day of March, 2005

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

GEORGIEANN BROOKSBY
Notary Public, State of Nevada
Appointment No. 04926661
My Appt. Expires Oct. 18, 2008



MAR 15 2005

5 2005

GPA-6333

N 04/28/05 PC

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JON EVENSEN FIELD
jfield@kkbr.com

March 25, 2005

VIA FACSIMILE
229-4697

Derrick Allen
PLANNING & DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Justification Letter
Land Development and Investment Diversification
General Plan Amendment, Zone Change, Site Development Plan for a custom home subdivision generally located east of Grand Canyon Drive and north of Alexander Road
APNs: 138-06-802-001 002, 003 and 004; 138-06-801-002

Ladies and Gentlemen:

This office represents Land Development and Investment Diversification (the "Applicant") in connection with the above-referenced matter. This application is a request for a general plan amendment, zone change and site development plan review for a custom home single family residential subdivision (the "Project") situated on approximately 15 acres located on the northeast corner of Alexander Road and Grand Canyon Drive, as more particularly described as Assessor's Parcel Numbers 138-06-802-001 002, 003 and 004; 138-06-801-002 (collectively, the "Property").

The Centennial Hills Sector Plan designates parcels 138-06-802-001 and 002 as Rural Neighborhood Preservation ("RNP"), parcels 138-06-802-003 and 004 as Rural ("R") and parcel 138-06-801-002 as Desert Rural ("DR"). The Property is presently zoned RE. We are requesting a general plan amendment for the Property to: (1) Low, in the event that a vacation of right-of-way is not achieved resulting in a 3.61 du/ac density for the proposed project. In conjunction with the general plan amendment, we are requesting the companion zone change for the Property to RPD-3 to allow for the proposed 52 unit custom home single family residential subdivision. We are also submitting a site development plan review depicting 52 lots ranging from 6,023 square feet to 12,625 square feet.

The proposed project is located along Alexander Road, a 100 ft right-of-way, and Grand Canyon Drive, a 80 ft right-of-way, that will support the proposed Project that has a relatively lower density than the existing, more intense subdivision to the south of the Property. The proposed density (3.49 du/ac) and lot sizes of the Project are more in keeping with the rural

REVISED
3.29.05

KKB&R

character of the outlying area that what presently exists to the south of the Property. In essence, a high quality custom home subdivision with larger lots would provide a much better buffer to the existing adjacent residential uses to the north than what exists to the south of the Property.

The proposed site plan depicts 52 custom home lots situated on approximately 15 acres. The entrance is located on Alexander Road with a 6,200 square foot park situated at the end of the main private drive. Lots sizes will range from 6,023 square feet to 12,625 square feet. A trail easement is situated along Alexander Road and a landscape buffer surrounds the entire Project.

Should you have any comments concerning the proposed Project, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jon Evensen Field

JEF/ds

City of Las Vegas

Agenda Item No.: 57

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ZON-6334 - REZONING RELATED TO GPA-6333 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL - Request for a Rezoning FROM: U (UNDEVELOPED) [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION], U (UNDEVELOPED) [R (RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] AND U (UNDEVELOPED) [DR (DESERT RURAL DENSITY RESIDENTIAL) GENERAL PLAN DESIGNATION] TO R-PD3 (RESIDENTIAL PLANNED DEVELOPMENT - 3 UNITS PER ACRE) on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004 & 138-06-801-002), Ward 4 (Brown).

C.C.: 06/01/05

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

RECOMMENDATION:

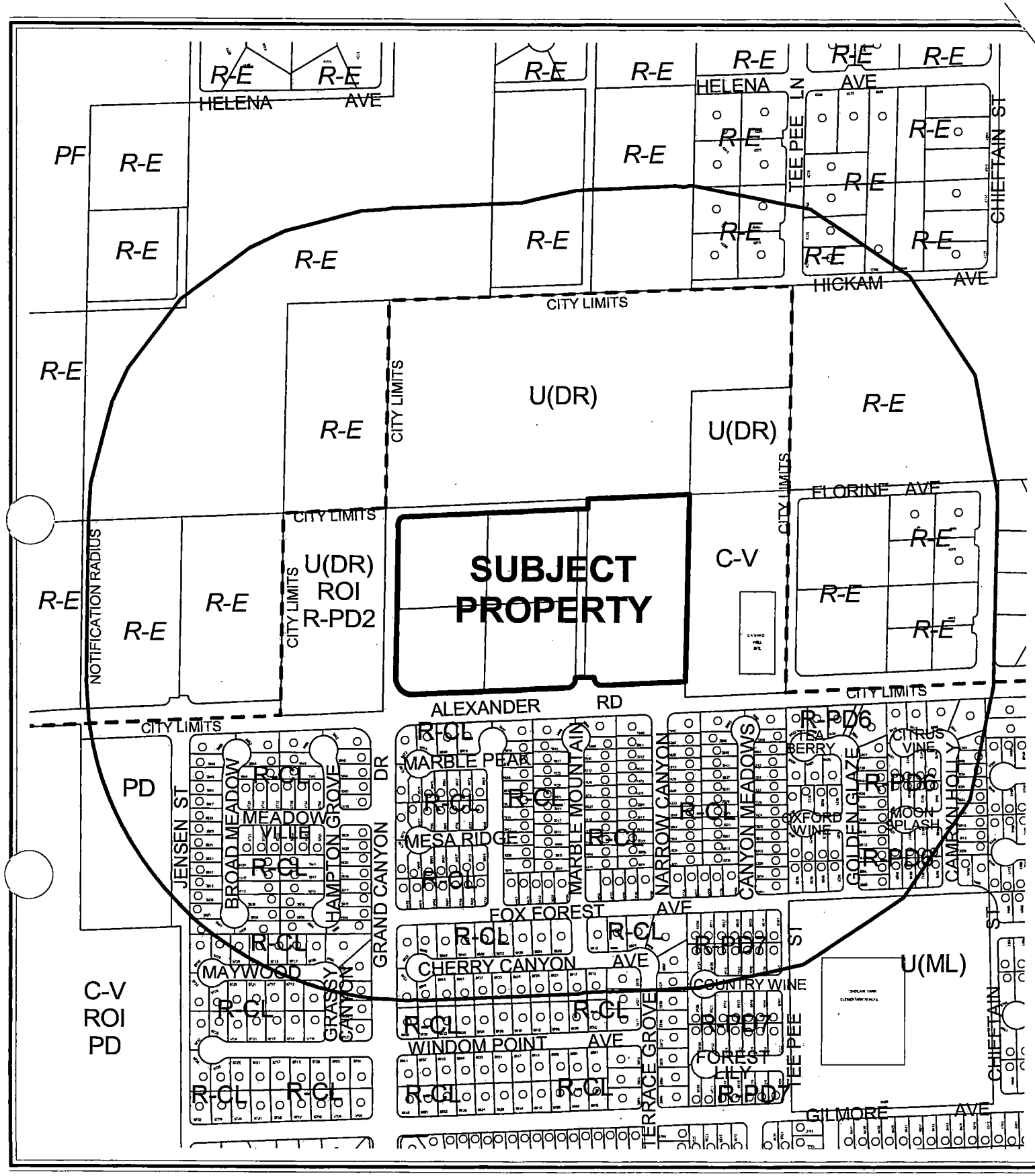
Staff recommends this item be HELD IN ABEYANCE to the May 12, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused



CASE: **ZON-6334**

RADIUS: 1000 FT

0 400 800 Feet

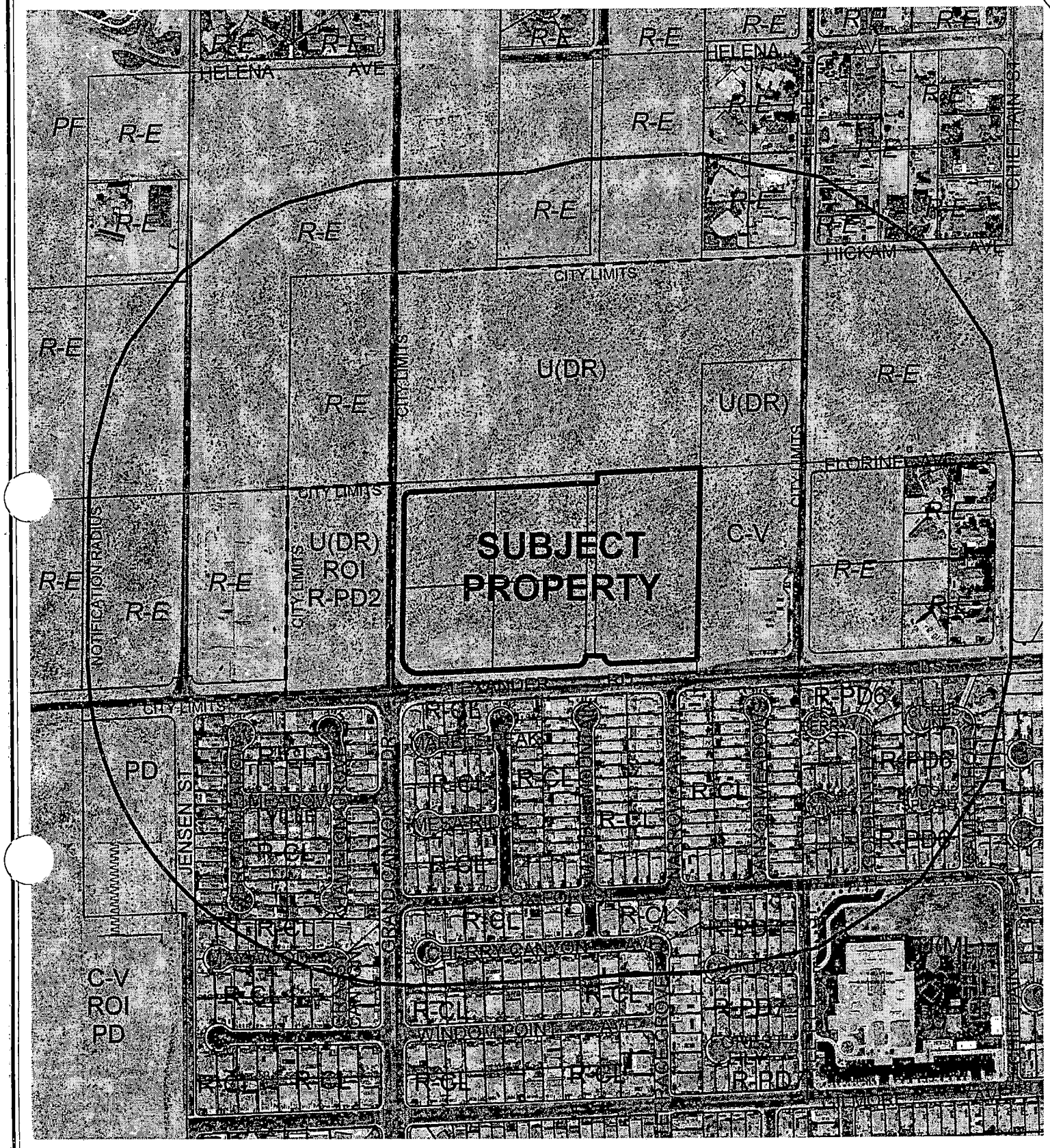
ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION], U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION], AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

N



CASE: **ZON-6334**

RADIUS: 1000 FT

0 400 800 Feet

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION], U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION], AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6334 - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL

ON APRIL 21, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005 PLANNING COMMISSION MEETING

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: 702.796.7181

9600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

April 21, 2005

VIA FACSIMILE
385-7268

Mr. Gary Leobold
LAS VEGAS PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, NV 89101

Re: GPA-6333; ZON-6334; SDR-6336 & VAC-6163
Alexander/Grand Canyon

Dear Gary:

As you know, our office represents the applicant on the above-referenced matters. Pursuant to our telephone conferences, we are requesting to hold these matters from the scheduled Planning Commission meeting of April 28, 2005 until May 12, 2005. This will allow our client time to revise our plans and applications accordingly.

As we discussed, APN 138-06-802-001 and 002 will not be a part of GPA-6333. However, ZON-6334 and SDR-6336 will still include all of the parcels originally requested. The zone change and site development plan review revisions will be sent to you when they are finalized.

Thank you for your cooperation in this matter.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Bob Gronauer/mlt

Robert J. Gronauer

RJG/mlt

cc: David Bramlet (via fax: 658-5655)
Derek Allen (via fax: 474-0352)
Kim Bush (via fax: 645-5889)

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6334 APN: 138-06-802-001 thru 004, 138-06-801-002

Name of Property Owner: Maple LLC or Maple Development LLC

Name of Applicant: Land Development & Investment Diversification

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: Craig O. Brooksby

Print Name: Craig Brooksby

Subscribed and sworn before me

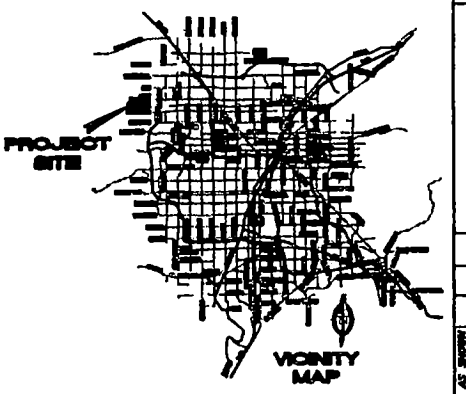
This 14 day of March, 2005

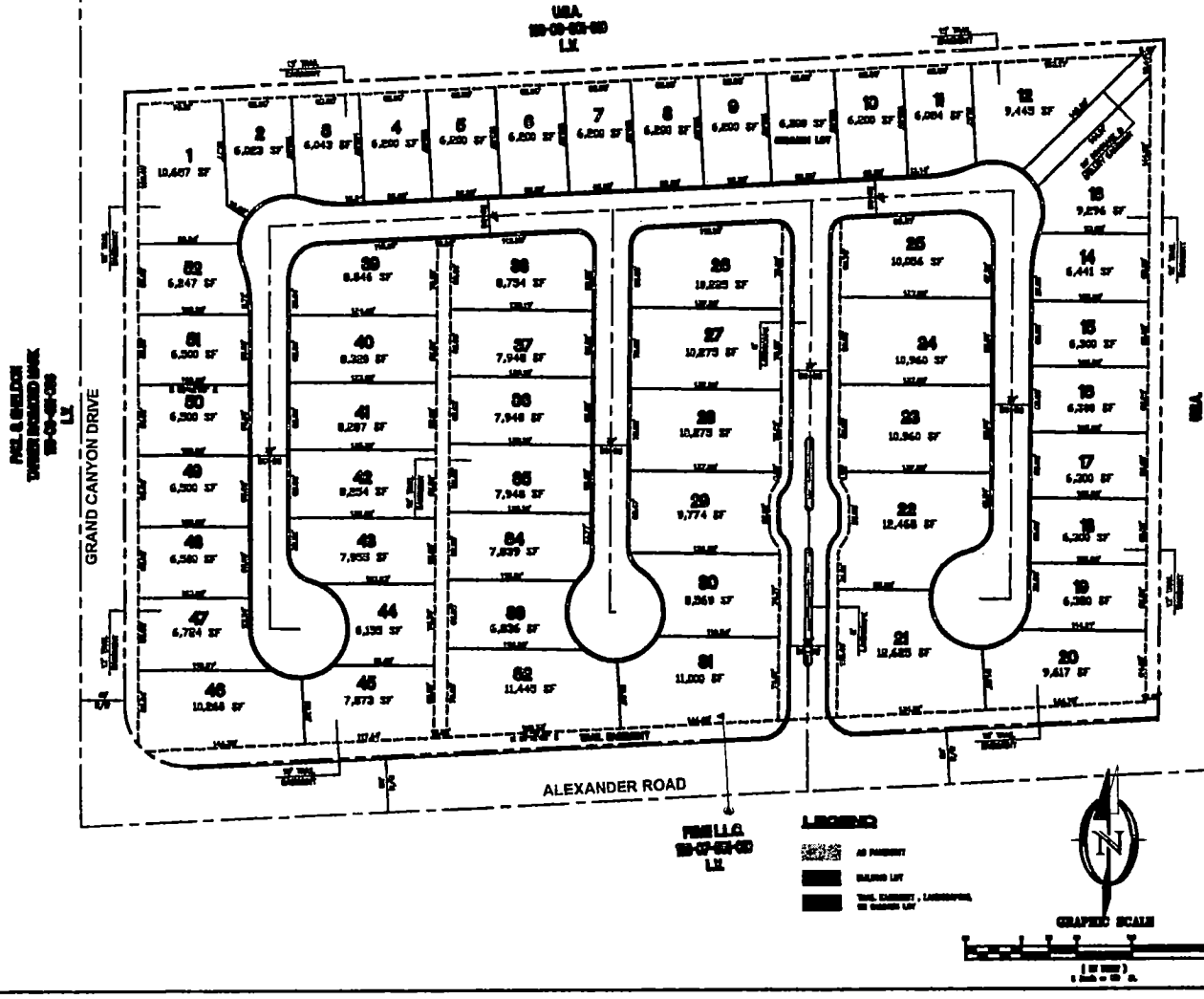
Georgieann Brooksby

Notary Public in and for said County and State

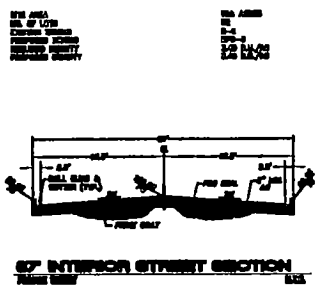
GEORGIEANN BROOKSBY
Notary Public, State of Nevada
Appointment No. 04926661
My Appt. Expires Oct. 18, 2008

MOUNTAIN HILLS ESTATES
SITE PLAN





SITE DEVELOPMENT NOTES



MOUNTAIN HILLS ESTATES

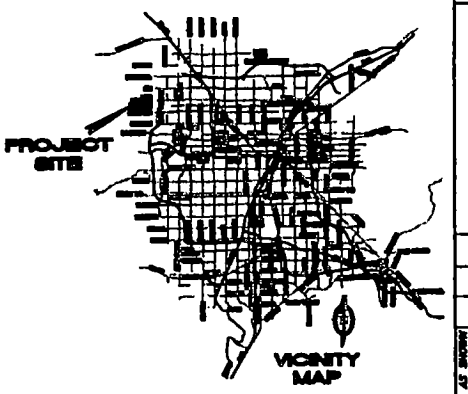
SITE PLAN

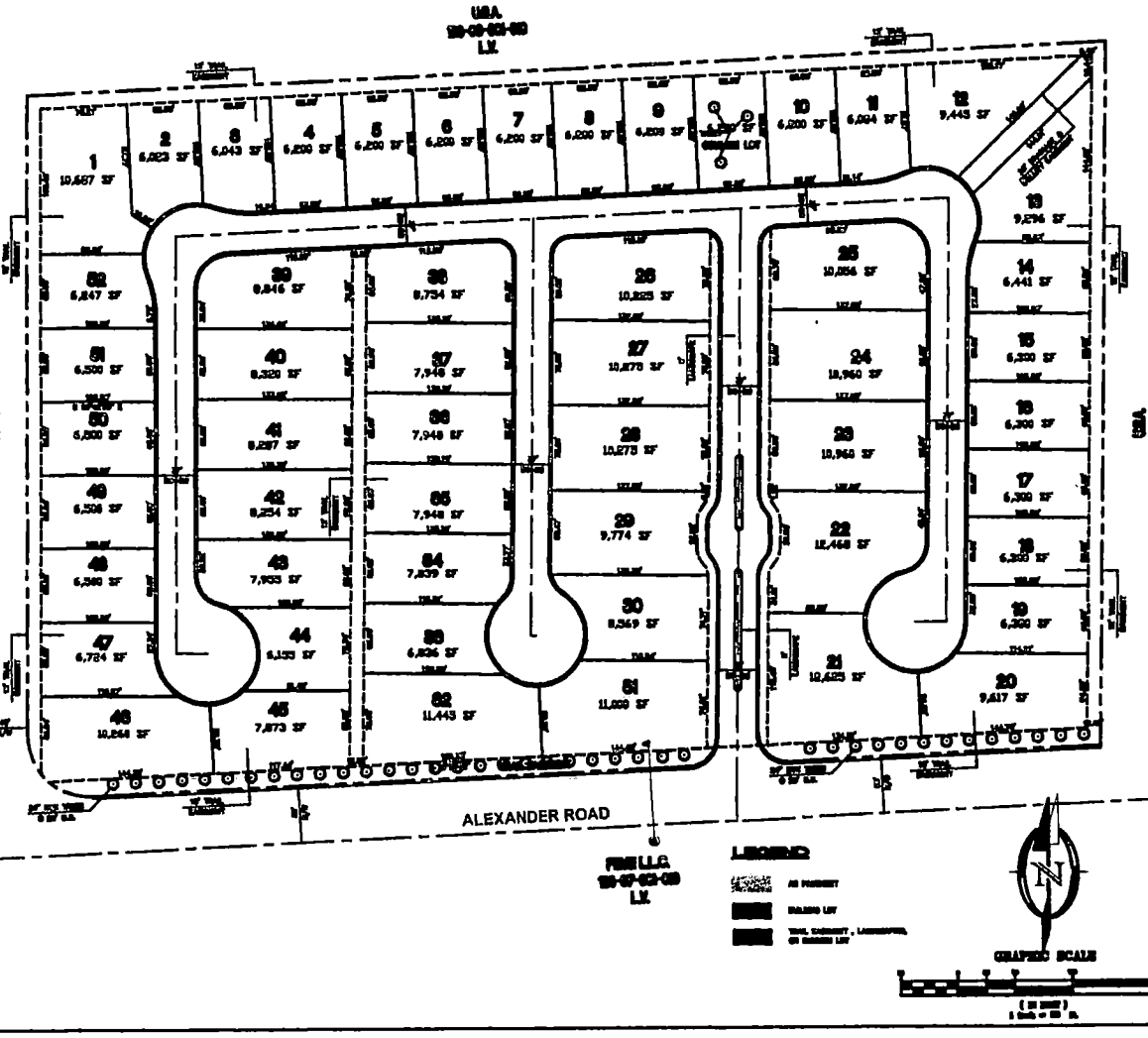
SHEET SP-1

ZON-6334

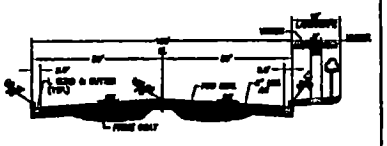
04/28/05 PC

MOUNTAIN HILLS ESTATES
LANDSCAPE PLAN





SITE DEVELOPMENT NOTES



MOUNTAIN HILLS ESTATES

LANDSCAPE PLAN

SHEET
LS-1

ZON-6334

04/28/05 PC

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JON EVENSEN FIELD
jfield@kkbr.com

March 15, 2005

Via Hand Delivery

PLANNING & DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Justification Letter
Land Development and Investment Diversification
General Plan Amendment, Zone Change, Site Development Plan for a custom home subdivision generally located east of Grand Canyon Drive and north of Alexander Road
APNs: 138-06-802-001 002, 003 and 004; 138-06-801-002

Ladies and Gentlemen:

This office represents Land Development and Investment Diversification (the "Applicant") in connection with the above-referenced matter. This application is a request for a general plan amendment, zone change and site development plan review for a custom home single family residential subdivision (the "Project") situated on approximately 15 acres located on the northeast corner of Alexander Road and Grand Canyon Drive, as more particularly described as Assessor's Parcel Numbers 138-06-802-001 002, 003 and 004; 138-06-801-002 (collectively, the "Property").

The Centennial Hills Sector Plan designates parcels 138-06-802-001 and 002 as Rural Neighborhood Preservation ("RNP"), parcels 138-06-802-003 and 004 as Rural ("R") and parcel 138-06-801-002 as Desert Rural ("DR"). The Property is presently zoned RE. We are requesting a general plan amendment for the Property to Desert Rural which allows for residential development up to 3.5 dwelling units per acre. In conjunction with the general plan amendment, we are requesting the companion zone change for the Property to RPD-3 to allow for the proposed 52 unit custom home single family residential subdivision. We are also submitting a site development plan review depicting 52 lots ranging from 6,084 square feet to 12,625 square feet.

The proposed project is located along Alexander Road, a 100 ft right-of-way, and Grand Canyon Drive, a 80 ft right-of-way, that will support the proposed Project that has a relatively lower density than the existing, more intense subdivision to the south of the Property. The proposed density (3.49 du/ac) and lot sizes of the Project are more in keeping with the rural character of the outlying area that what presently exists to the south of the Property. In essence, a high quality custom home subdivision with larger lots would provide a much better buffer to

the existing adjacent residential uses to the north than what exists to the south of the Property.

The proposed site plan depicts 52 custom home lots situated on approximately 15 acres. The entrance is located on Alexander Road with a 6,200 square foot park situated at the end of the main private drive. Lots sizes will range from 6,043 square feet to 12,625 square feet. A trail easement is situated along Alexander Road and a landscape buffer surrounds the entire Project.

Should you have any comments concerning the proposed Project, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jon Evensen Field

JEF/ds

City of Las Vegas

Agenda Item No.: 58

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ABEYANCE - VAC-6163 - VACATION RELATED TO GPA6333 AND ZON-6334 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC - Petition to Vacate a portion of Florine Avenue and Park Street and U.S. Government Patent Easements generally located on north side of Alexander Road and east of Grand Canyon Drive, Ward 4 (Brown)

SET DATE: 05/18/05
C.C.: 06/01/05

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

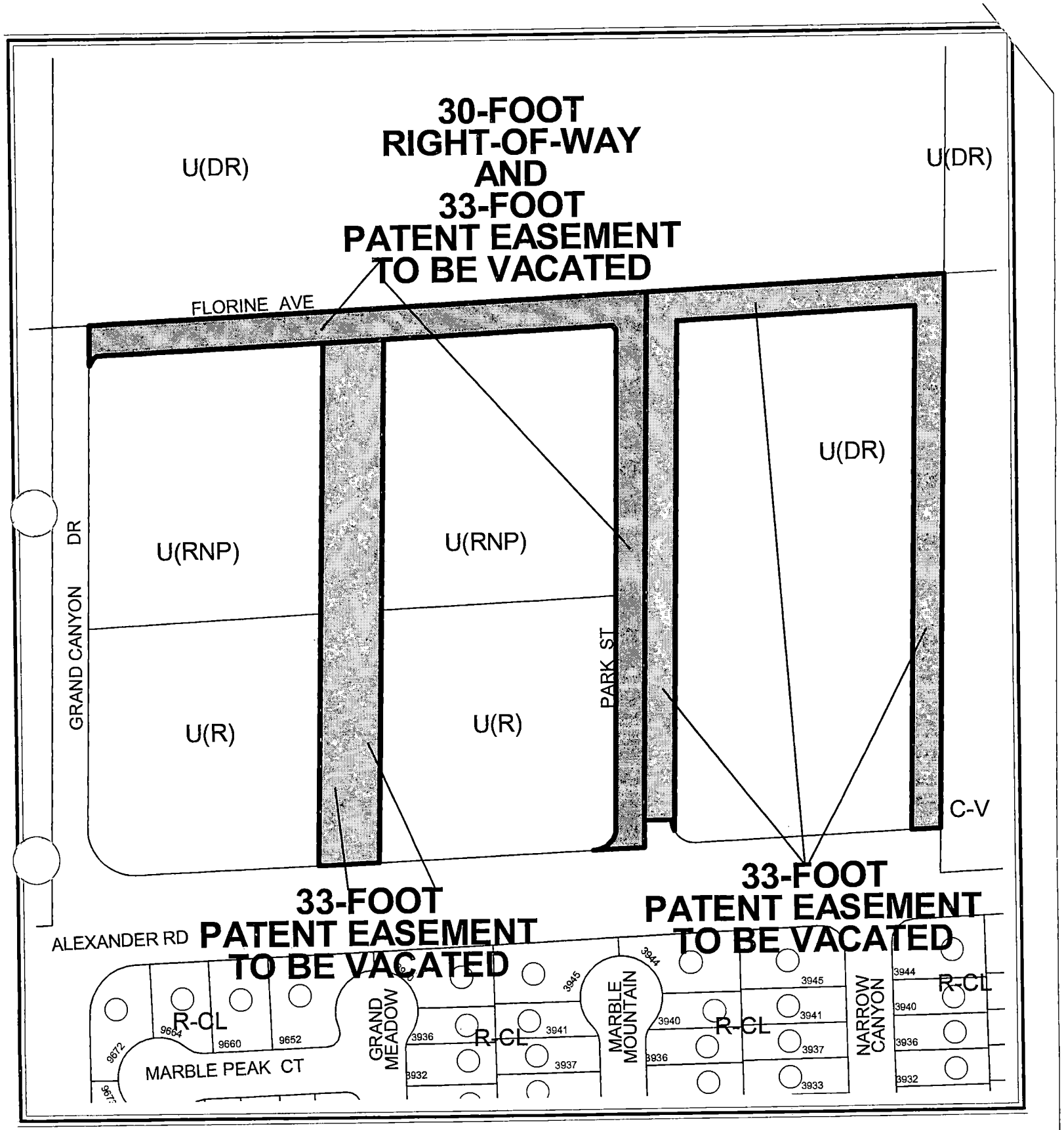
RECOMMENDATION:
Staff recommends this item be HELD IN ABEYANCE to the May 12, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application – Not Applicable
3. Staff Report – Not Applicable
4. Justification Letter

MOTION:
McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES
There was no discussion.

(6:04 – 6:20)



CASE: **VAC-6163**

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ABEYANCE - VAC-6163 - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC

ON APRIL 21, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005 PLANNING COMMISSION MEETING

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: 702.796.7181

5500 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

April 21, 2005

VIA FACSIMILE
385-7268

Mr. Gary Leobold
LAS VEGAS PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, NV 89101

Re: GPA-6333; ZON-6334; SDR-6336 & VAC-6163
Alexander/Grand Canyon

Dear Gary:

As you know, our office represents the applicant on the above-referenced matters. Pursuant to our telephone conferences, we are requesting to hold these matters from the scheduled Planning Commission meeting of April 28, 2005 until May 12, 2005. This will allow our client time to revise our plans and applications accordingly.

As we discussed, APN 138-06-802-001 and 002 will not be a part of GPA-6333. However, ZON-6334 and SDR-6336 will still include all of the parcels originally requested. The zone change and site development plan review revisions will be sent to you when they are finalized.

Thank you for your cooperation in this matter.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Bob Gronauer/mlt

Robert J. Gronauer

RJG/mlt

cc: David Bramlet (via fax: 658-5655)
Derek Allen (via fax: 474-0352)
Kim Bush (via fax: 645-5889)

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAC-6163 APN: 138-06-802-001, 002, 003, 004
138-06-801-002

Name of Property Owner: Maple Development

Name of Applicant: Land Development Investment Diversification

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 __xx__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: _____

Print Name: Craig O Brooksby

Subscribed and sworn before me

This 19th day of Jan, 2005

_____
Notary Public in and for said County and State

DONNA THORNTON
Notary Public, State of Nevada
Appointment No. 02781101
My Appt. Expires Oct. 3, 2006

INTEGRITY
ENGINEERING

TIM S. MORENO, P.E.
ERNEST FREGGIARO, P.E.
LLOYD BREEDEN III, P.L.S.

MOUNTAIN HILLS (APN 138-06-801-002, 138-06-802-001, 2, 3, 4)
JUSTIFICATION LETTER FOR PATENT EASEMENT ABANDONMENT

ITEM: Abandonment of Patent Easements

ASSESSOR'S PARCEL NUMBER: 138-06-801-002, 138-06-802-001, 2, 3,4

BACKGROUND: We are proposing to develop a residential subdivision with local residential internal streets. With the subdivision we intend on constructing the half street of Grand Canyon Drive. Alexander Road is being improved by a City/County SID and we will access our site from Alexander Road.

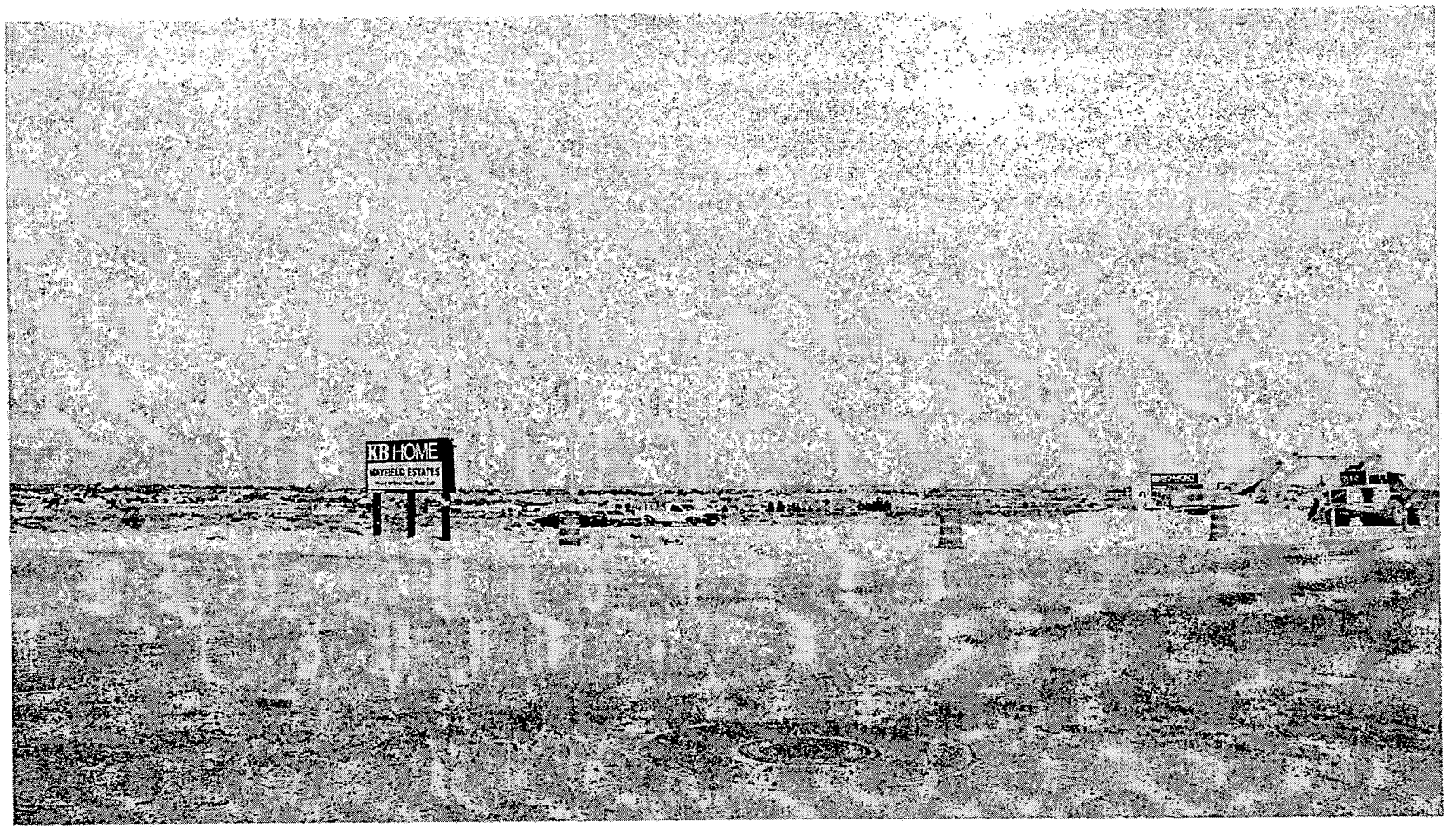
Respectfully submitted:

Integrity Engineering
2480 E. Tompkins Ave. #232
Las Vegas, NV 89121

G:\PROJECTS\64\64-104\Documents\Letters\Justification Ltr patent easements.doc

VAC-61163

2480 E. TOMPKINS AVE. #232 • LAS VEGAS, NEVADA 89121 • (702) 456-4664 • FAX (702) 456-4919
EMAIL: IE@INTEGRITY-ENGINEERING.NET



VAC-6163 - APPLICANT: LAND DEVELOPMENT AND INVESTMENT DIVISION - OWNER: MAPLE DEVELOPMENT LLC
NORTH SIDE OF ALEXANDER ROAD AND EAST OF GRAND CANYON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

03/16/05

City of Las Vegas

Agenda Item No.: 59

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-6336 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-6333,AND ZON-6334 - PUBLIC HEARING - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, ET AL - Request for Site Development Plan Review FOR A PROPOSED 52 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 15 acres adjacent to the northeast corner of Grand Canyon Drive and Alexander Road (APNs 138-06-802-001 through 004), U (Undeveloped) Zone [RNP (Rural Neighborhood Preservation) General Plan Designation], U (Undeveloped) Zone [R (Rural Density Residential) General Plan Designation] and U (Undeveloped) Zone [DR (Desert Rural Density Residential) General Plan Designation] [PROPOSED: R-PD3 (Residential Planned Development - 3 units per acre) Zone], Ward 4 (Brown).

C.C.: 06/01/05

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

RECOMMENDATION:

Staff recommends this item be HELD IN ABEYANCE to the May 12, 2005 Planning Commission meeting.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

City of Las Vegas

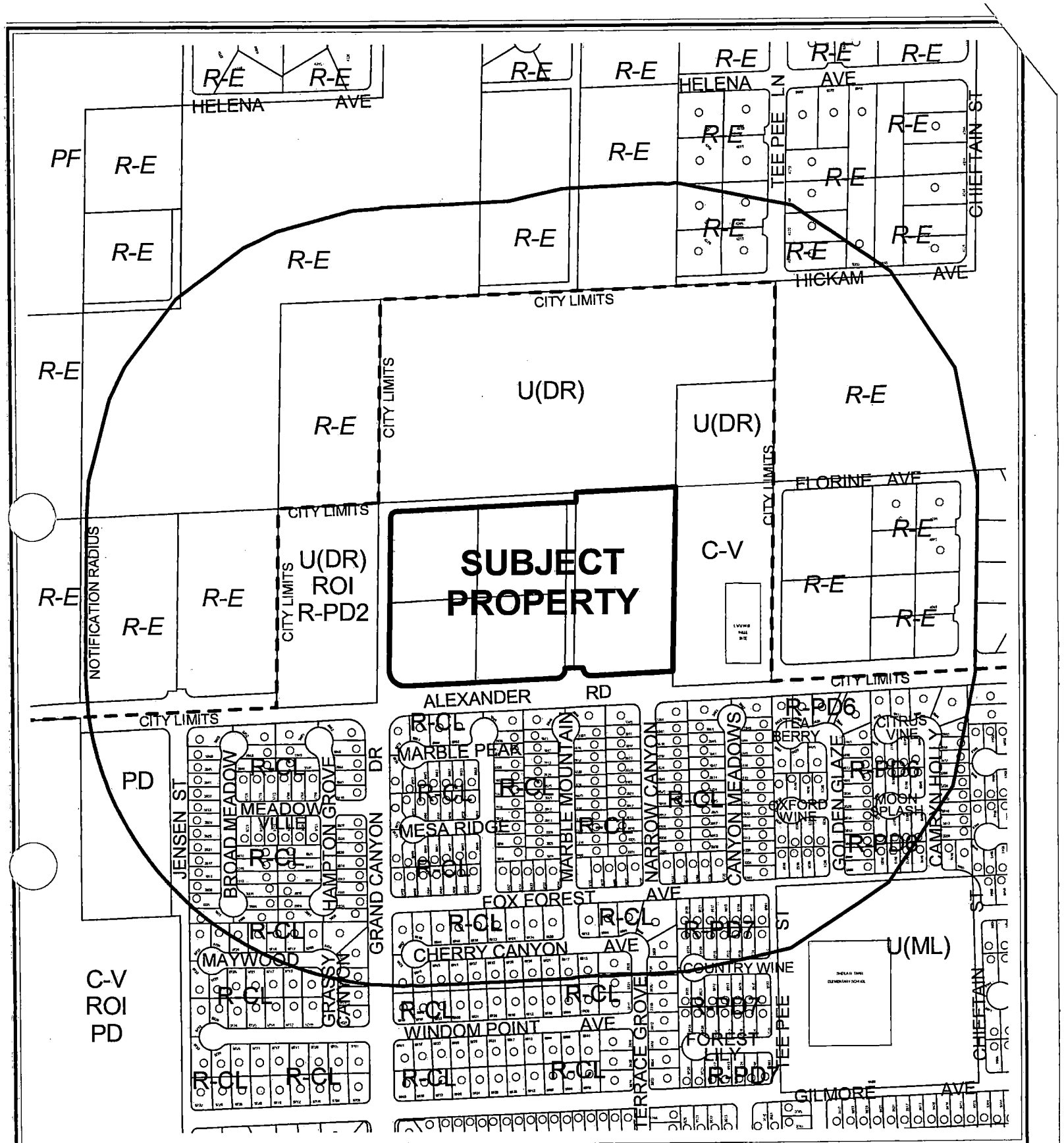
Agenda Item No.: 59

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 59 – SDR-6336

MINUTES

There was no discussion.

(6:04 – 6:20)



CASE: **SDR-6336**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

U (UNDEVELOPED) ZONE [RNP (RURAL NEIGHBORHOOD PRESERVATION) GENERAL PLAN DESIGNATION], U (UNDEVELOPED) ZONE [DR (DESERT RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION], AND U (UNDEVELOPED) ZONE [R (RURAL DENSITY RSEIDENTIAL) GENERAL PLAN DESIGNATION]

PROPOSED ZONING OF SUBJECT PROPERTY:

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

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6336 - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, ET AL

ON APRIL 21, 2005 THE APPLICANT REQUESTED THIS ITEM BE HELD IN ABEYANCE TO THE MAY 12, 2005 PLANNING COMMISSION MEETING

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: 702.796.7181

9600 Technology Way
Suite 104
Reno, NV 89521-5941
Tel: 775.852.3900
Fax: 775.852.3982

LAS VEGAS OFFICE

ROBERT J. GRONAUER
rgronauer@kkbr.com

April 21, 2005

VIA FACSIMILE
385-7268

Mr. Gary Leobold
LAS VEGAS PLANNING & DEVELOPMENT
731 South Fourth Street
Las Vegas, NV 89101

Re: GPA-6333; ZON-6334; SDR-6336 & VAC-6163
Alexander/Grand Canyon

Dear Gary:

As you know, our office represents the applicant on the above-referenced matters. Pursuant to our telephone conferences, we are requesting to hold these matters from the scheduled Planning Commission meeting of April 28, 2005 until May 12, 2005. This will allow our client time to revise our plans and applications accordingly.

As we discussed, APN 138-06-802-001 and 002 will not be a part of GPA-6333. However, ZON-6334 and SDR-6336 will still include all of the parcels originally requested. The zone change and site development plan review revisions will be sent to you when they are finalized.

Thank you for your cooperation in this matter.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Bob Gronauer/mlt

Robert J. Gronauer

RJG/mlt

cc: David Bramlet (via fax: 658-5655)
Derek Allen (via fax: 474-0352)
Kim Bush (via fax: 645-5889)

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6336 APN: 138-06-802-001 thru 004, 138-06-801-002

Name of Property Owner: Maple LLC or Maple Development LLC

Name of Applicant: Land Development & Investment Diversification

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: + Craig O. Brooksby

Print Name: Craig O. Brooksby

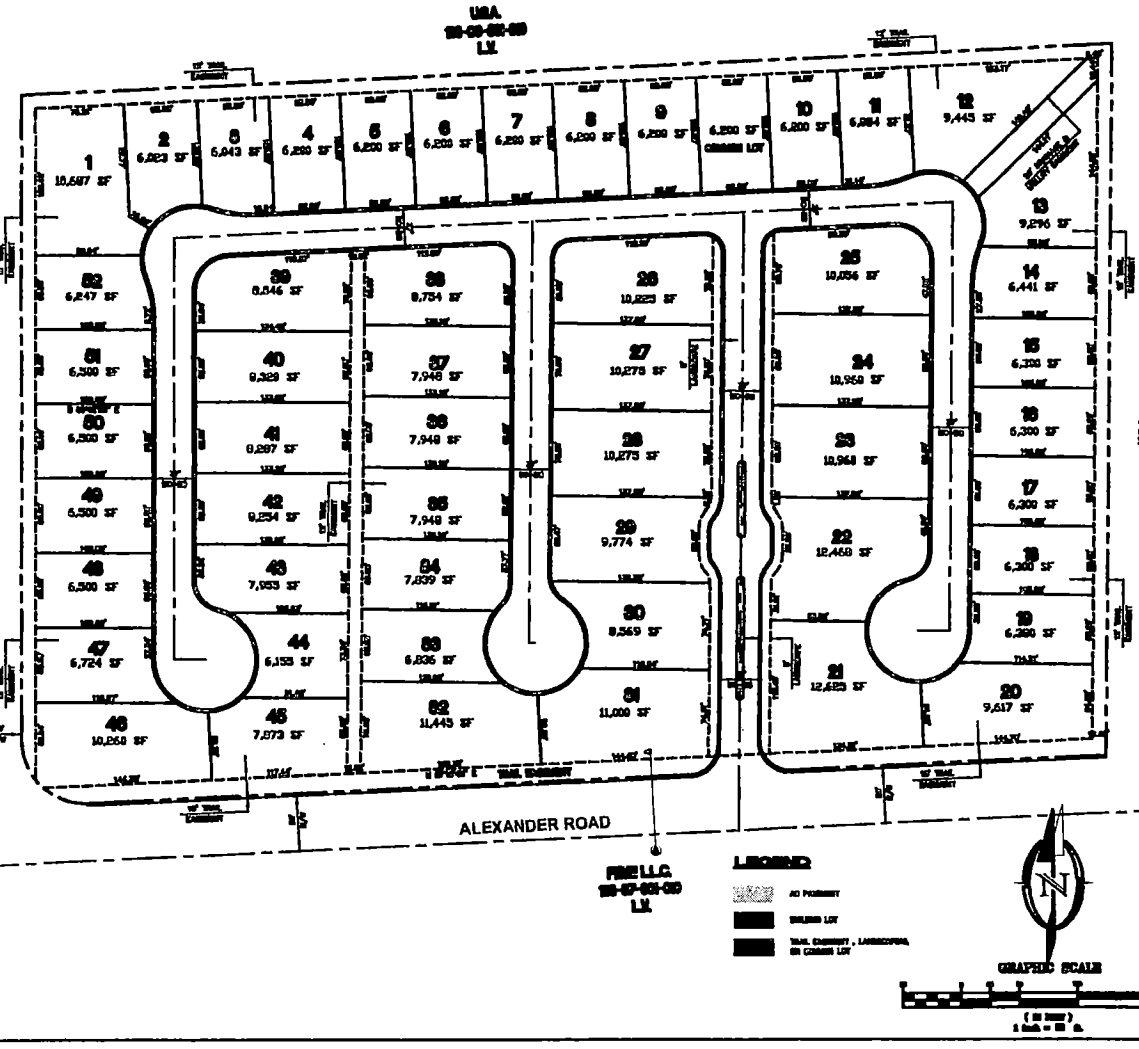
Subscribed and sworn before me

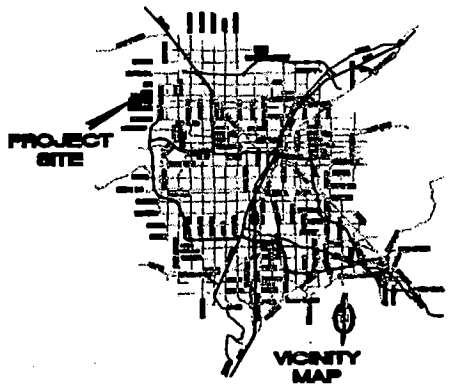
This 14 day of March, 2005

Georgieann Brooksby
Notary Public in and for said County and State

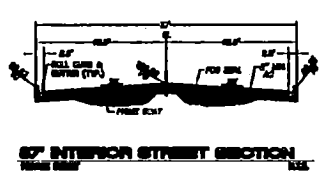
GEORGIEANN BROOKSBY
Notary Public, State of Nevada
Appointment No. 04926661
My Appt. Expires Oct. 18, 2008

MOUNTAIN HILLS ESTATES
SITE PLAN





SITE DEVELOPMENT NOTES



SDR-6336

04/28/05 PC

MAR 16 2005

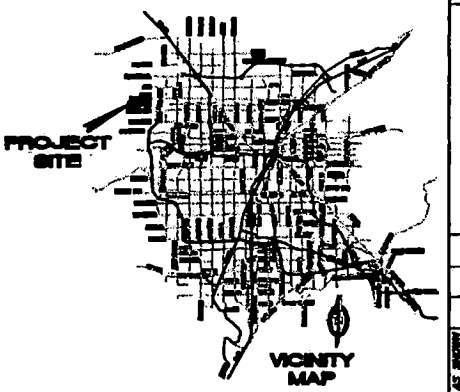
MOUNTAIN HILLS ESTATES

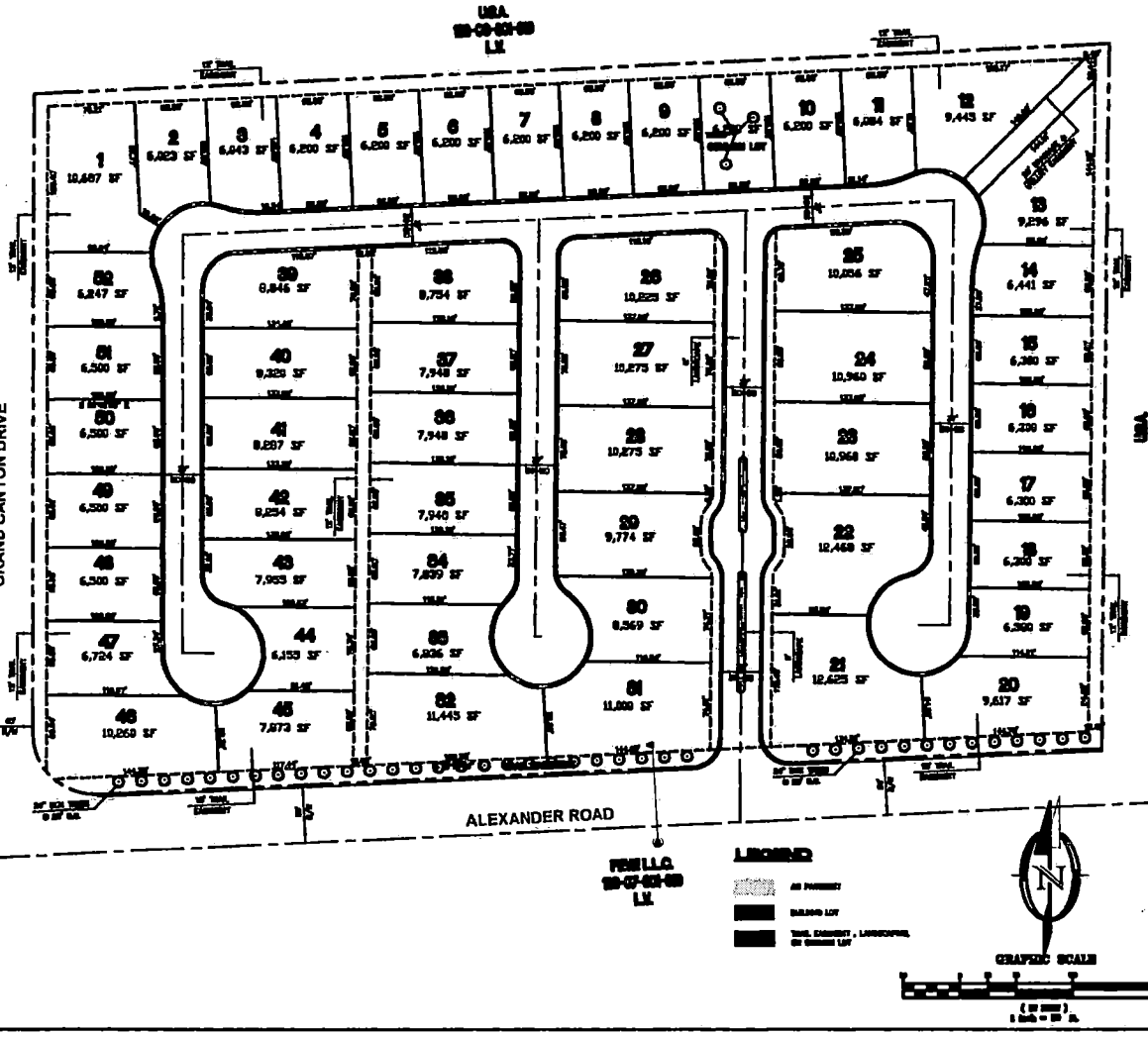
SITE PLAN

SHEET SP-1

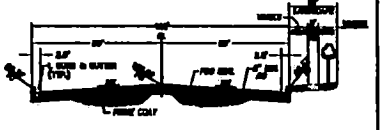
G:\PROJECTS\64-04\Drawings\Site plan\exhibit\ver-exhibitplan.dwg 3/14/2005 12:43:5 PM PST

MOUNTAIN HILLS ESTATES
LANDSCAPE PLAN





SITE DEVELOPMENT NOTES



SDR-6336
04/28/05 PC

MAR 15 2005

MOUNTAIN HILLS ESTATES
LANDSCAPE PLAN
SHEET LS-1
1 OF 1 SHEETS

INTEGRITY ENGINEERING

G:\PROJECTS\04-104\Drawings\Site plan\exhibit\04-104LANDSCAPEplanding 3/14/2005 8:46:21 PM PST



GPA-6333, ZON-6334 & SDR-6336 - APPLICANT: LAND DEVELOPMENT & INVESTMENT DIVERSIFICATION - OWNER: MAPLE DEVELOPMENT, LLC, ET AL
NORTHEAST CORNER OF GRAND CANYON DRIVE AND ALEXANDER ROAD
APRIL 28, 2005 PLANNING COMMISSION

4/4/05

KUMMER KAEMPFER BONNER & RENSHAW
ATTORNEYS AT LAW

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

Tel: 702.792.7000
Fax: 702.796.7181
www.kkbr.com

JON EVENSEN FIELD
jfield@kkbr.com

March 15, 2005

Via Hand Delivery

PLANNING & DEVELOPMENT DEPARTMENT
CURRENT PLANNING DIVISION
City of Las Vegas
731 S. Fourth Street
Las Vegas, Nevada 89101

RE: Justification Letter
Land Development and Investment Diversification
General Plan Amendment, Zone Change, Site Development Plan for a custom home subdivision generally located east of Grand Canyon Drive and north of Alexander Road
APNs: 138-06-802-001 002, 003 and 004; 138-06-801-002

Ladies and Gentlemen:

This office represents Land Development and Investment Diversification (the "Applicant") in connection with the above-referenced matter. This application is a request for a general plan amendment, zone change and site development plan review for a custom home single family residential subdivision (the "Project") situated on approximately 15 acres located on the northeast corner of Alexander Road and Grand Canyon Drive, as more particularly described as Assessor's Parcel Numbers 138-06-802-001 002, 003 and 004; 138-06-801-002 (collectively, the "Property").

The Centennial Hills Sector Plan designates parcels 138-06-802-001 and 002 as Rural Neighborhood Preservation ("RNP"), parcels 138-06-802-003 and 004 as Rural ("R") and parcel 138-06-801-002 as Desert Rural ("DR"). The Property is presently zoned RE. We are requesting a general plan amendment for the Property to Desert Rural which allows for residential development up to 3.5 dwelling units per acre. In conjunction with the general plan amendment, we are requesting the companion zone change for the Property to RPD-3 to allow for the proposed 52 unit custom home single family residential subdivision. We are also submitting a site development plan review depicting 52 lots ranging from 6,084 square feet to 12,625 square feet.

The proposed project is located along Alexander Road, a 100 ft right-of-way, and Grand Canyon Drive, a 80 ft right-of-way, that will support the proposed Project that has a relatively lower density than the existing, more intense subdivision to the south of the Property. The proposed density (3.49 du/ac) and lot sizes of the Project are more in keeping with the rural character of the outlying area that what presently exists to the south of the Property. In essence, a high quality custom home subdivision with larger lots would provide a much better buffer to

the existing adjacent residential uses to the north than what exists to the south of the Property.

The proposed site plan depicts 52 custom home lots situated on approximately 15 acres. The entrance is located on Alexander Road with a 6,200 square foot park situated at the end of the main private drive. Lots sizes will range from 6,043 square feet to 12,625 square feet. A trail easement is situated along Alexander Road and a landscape buffer surrounds the entire Project.

Should you have any comments concerning the proposed Project, please do not hesitate to contact me. Thank you for your consideration.

Sincerely,

KUMMER KAEMPFER BONNER & RENSHAW

Jon Evensen Field

JEF/ds

City of Las Vegas

Agenda Item No.: 60

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

MOD-6295 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Major Modification of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan TO CHANGE THE LAND USE DESIGNATION FROM: ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) TO: MLA-TC (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL - TOWN CENTER) on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:

Staff recommends APPROVAL.

BACKUP DOCUMENTATION:

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

MOTION:

TRUESDELL – APPROVED subject to condition – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

CHAIRMAN NIGRO declared the Public Hearing open on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

GARY LEOBOLD, Planning & Development, gave a brief overview of the applications, which would allow the development of a 52 unit attached residential product. The Major Modification request is an appropriate shift since the property is bordered to the north and west by land already

MINUTES – Continued:

designated the same way in the Town Center plan. The impact of the land use change would be negligible. The applicant held a neighbor hood meeting with four people in attendance. Concerns raised included possible access to Campbell Road and whether the development would be gated. Staff supports the rezoning request because it allows the property to be developed in accordance with the Town Center Development Standards manual. The requested waiver is justified by the small size of the site. The hardship generated by the size is real and staff supports the waiver.

Staff recommended denial on the Special Use Permit because the provision of private streets in Town Center is highly discouraged. Denial was also recommended on the Site Development Plan Review because of the private street component. Staff suggested the site be reconfigured to use the public street. The accompanying waiver is a request that two active gated entrances not be required. Because this site has such a small number of lots, staff is able to support the waiver to allow only one entrance gate. MR. LEOBOLD also noted that the guest parking is not evenly distributed throughout the site. Staff would ask that an if approved condition be added which require that at least nine of the parking spaces along the private street be clearly striped and marked as guest spaces.

RUSSELL SKUSE, 7575 Hickham Avenue, appeared on behalf of the applicant and concurred with staff conditions. He agreed with the reasoning behind the denial recommendations based on Town Center Standards. This same applicant owns the other three corners at this intersection. They were unable to purchase the subject site until recently. Unfortunately, the subject site is now a five-acre lot similar to an infill piece of land.

TODD MAJERONI, 9101 Dorell Lane, lives in a Spinaker home across from the proposed entrance to the subject site. He asked that the entrance be put onto Campbell Road. Both streets have the same Town Center standards and are the same street classification. The traffic on Dorell is already congested and when the town home project being constructed by DR Horton is completed, it will be worse. He acknowledged that doing so might cause the developer to lose one or two lots. MR. MAJERONI stated that adding additional residences without sufficient green space would only congest the neighborhood parks more.

MR. SKUSE said that the developer did look into having the entrance off of Campbell Road; however, it was decided that having it on Dorell Lane would make the development more compatible. On the other three corners of the development, Spinaker Homes has provided for signalization if it is scheduled for the future.

VICE CHAIRMAN TRUESDELL supported the project but felt that moving the entrance to

MINUTES – Continued:

Campbell Road across from the entrance to the development on the east side might be a traffic improvement over having a major drive so close in between two streets on Dorell Lane. He deferred to GINA VENGLASS, Public Works Department, who stated her department would have no problem with the entrance aligning with Horizon.

CHAIRMAN NIGRO asked if there was a Site Plan submitted showing the entrance on Campbell Road. MR. SKUSE replied that it was considered but he did not have one to look at during the meeting. Also, the site would be severely impacted if the entrance was on Campbell Road because approximately eight buildings would be lost.

VICE CHAIRMAN TRUESDELL asked for clarification regarding the guest parking. MR. LEOBOLD clarified that having the spaces marked as guest parking only would eliminate residents from parking second or third cars there. VICE CHAIRMAN TRUESDELL thought a significant amounts of parking islands would help. MS. VENGLASS commented that the proposed condition to stripe the street to indicate guest parking would be acceptable to Public Works as long as the street was going to be private. Planning and Development staff was recommending denial on the application asking that the street be allowed to remain private. The width of that street would be fine because it is the same width of a public street.

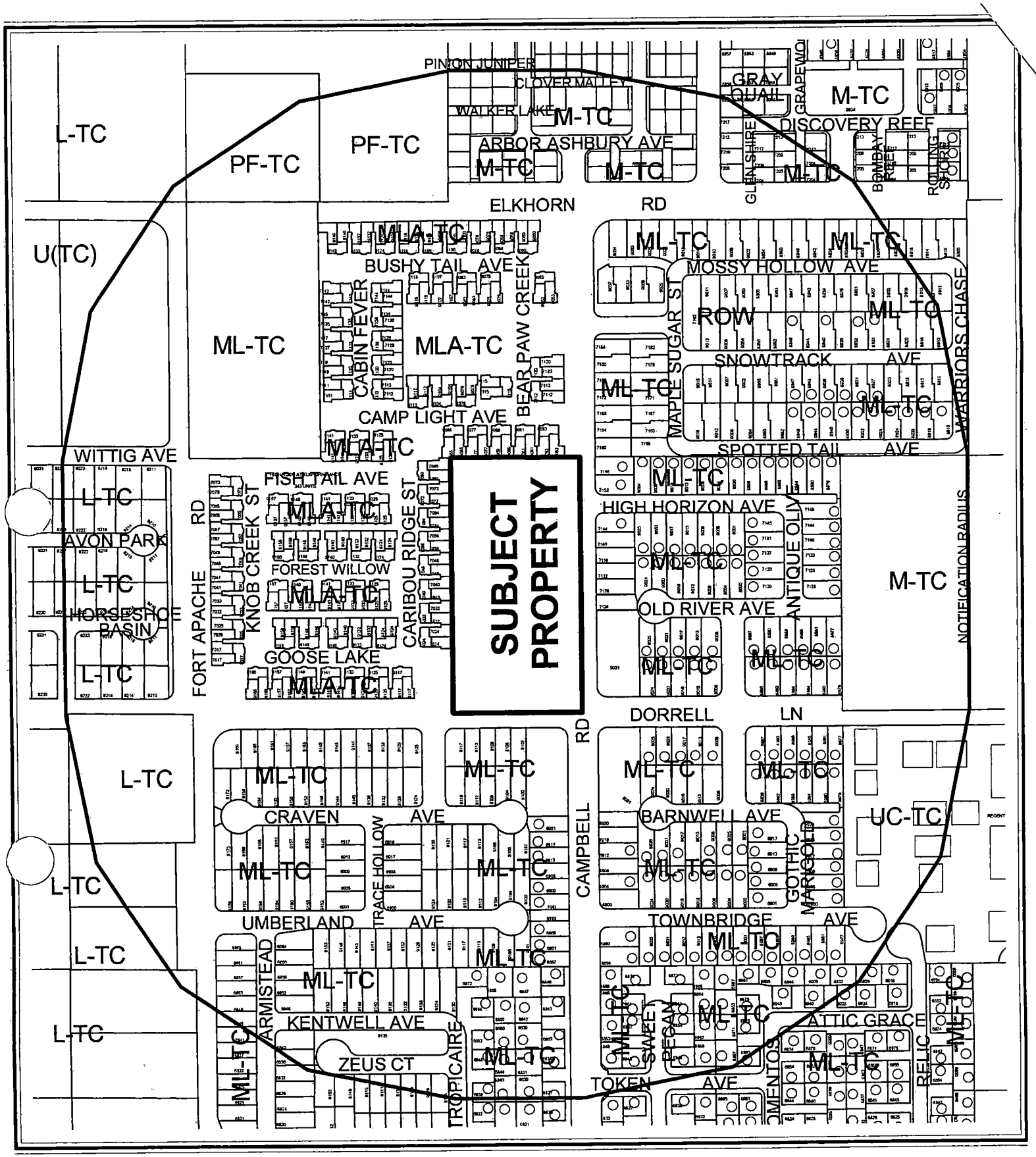
CHAIRMAN NIGRO declared the Public Hearing closed on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

CONDITION:

Planning and Development

1. A Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.

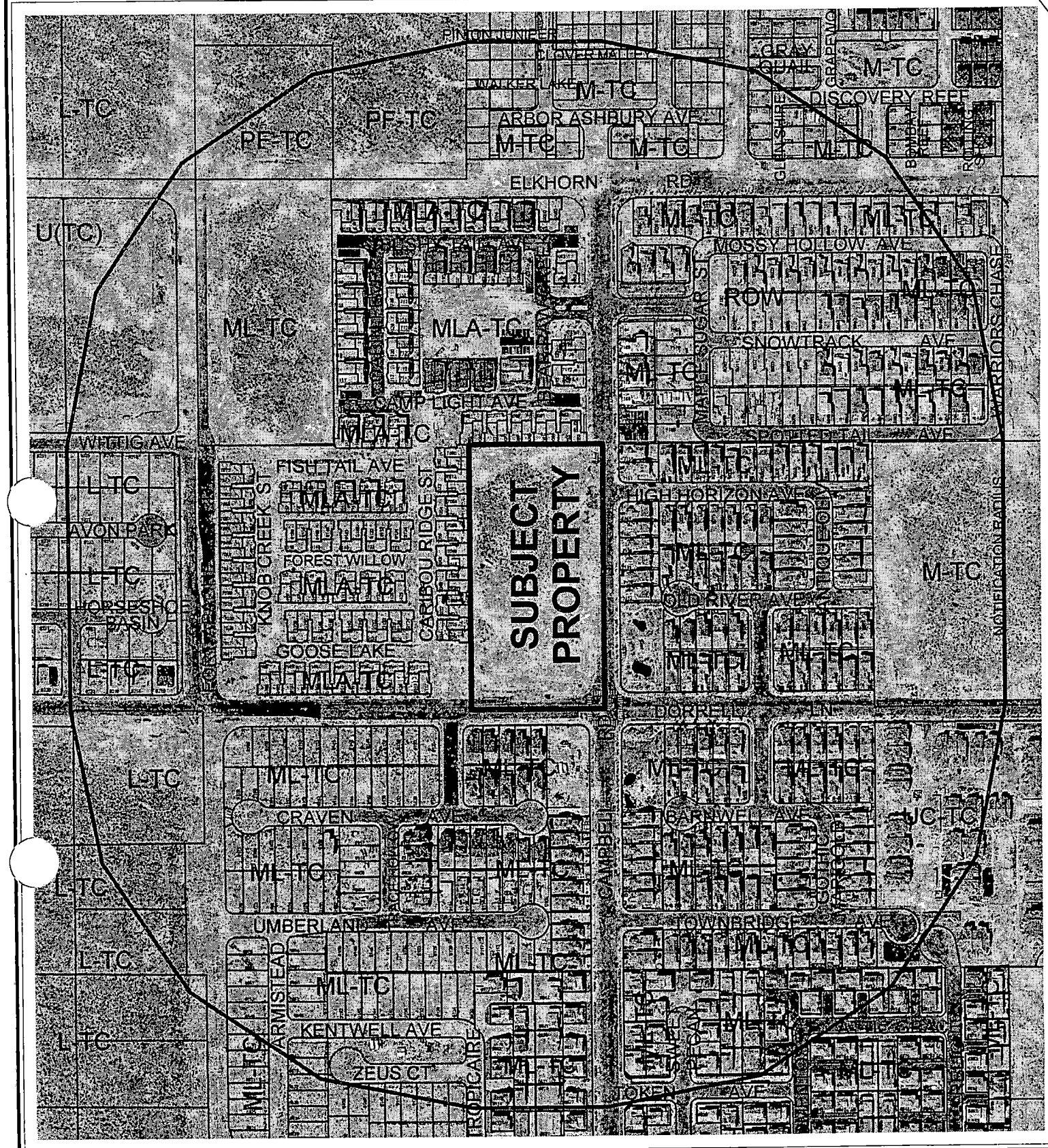


CASE: **MOD-6295**

RADIUS: 1000 FT

SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER)

PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)



0 300 600 Feet

CASE: **MOD-6295**

RADIUS: 1000 FT

SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER)

PROPOSED SPECIAL LAND USE DESIGNATION OF SUBJECT PROPERTY:
MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: MOD-6295 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Major Modification of the Town Center Land Use Plan of the Centennial Hills Sector Plan of the General Plan to change the land use designation from ML-TC (Medium-Low Density Residential – Town Center) to MLA-TC (Medium-Low Attached Density Residential – Town Center) on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road.

B) Applicant's Justification

According to the applicant's justification letter, the adjacent development to the north and west was also initially master planned for ML-TC (Medium-Low Residential – Town Center) and through subsequent changes to the Town Center Land Use Plan became MLA-TC (Medium-Low Attached Density Residential – Town Center) with a maximum density of 12 dwelling units per acre. The subject parcel has been isolated from surrounding properties through previous zoning actions.

BACKGROUND INFORMATION

A) Related Actions

03/12/92	The Planning Commission approved the three Land Use Sector Maps of the General Plan.
05/24/99	The City Council approved the Centennial Hills Sector Map (GPA-0001-99) of the city of Las Vegas General Plan, which replaced the Northwest Sector Map.
02/02/02	The City Council adopted the Centennial Hills Interlocal Land Use Plan. On this map, the subject property was designated for TC (Town Center) land uses.
02/05/03	The City Council approved a petition to annex approximately 495 acres of property located in various parts of the city, including the subject site, under the provisions of NRS 268.597 No. 1(b). The Planning Commission and staff recommended approval.
02/19/03	The City Council approved a General Plan Amendment (GPA-1350) to amend a portion of the Centennial Hills Sector Plan from ML-TC (Medium Low Density Residential - Town Center) to MLA-TC (Medium-Low Attached Density Residential - Town Center) on 20.41 acres to the west and north of the subject property. The Planning Commission recommended approval. Staff recommended denial, citing incompatibility with the surrounding land uses.

SS

05/26/05 The Planning Commission will consider companion items for a Rezoning (ZON-6297) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Waiver (WVR-6310) of Title 18.12.160 to allow approximately 177 feet and 208 feet between street intersections where 220 feet is the minimum distance separation required, a Special Use Permit (SUP-6306) for a proposed gated community with private streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required, and a Site Development Plan Review (SDR-6301) for a proposed 52 lot single family attached residential development on the subject site.

B) Pre-Application Meeting

03/03/05 The applicant was advised to apply for a Major Modification of the Town Center Land Use Map to change the land use designation to accommodate a higher density development, as well as applying for a Rezoning to Town Center zoning and a Special Use Permit for a gated community with private streets. A Title 18 Waiver for the intersection offset will be necessary given the current design. A roundabout is planned for Campbell Road at Dorrell Lane; this should be worked into the design. A neighborhood meeting is required for the Major Modification, as it is similar to a General Plan land use change. This meeting should be held at least 30 days prior to the Planning Commission meeting.

C) Neighborhood Meetings

03/28/05 Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. In accordance with the above, a neighborhood meeting sponsored by the applicant was held at the Centennial Academy. Four interested persons were in attendance expressing the following concerns:

- Would there be a gated entry
- Possible access to Campbell Road

No one voiced opposition to the project proposed for the site.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.07

SS

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. It is designated TC (Town Center) by the Centennial Hills Interlocal Land Use Plan. The subject site is proposed to be rezoned to T-C (Town Center) to comply with this land use designation.

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

The Town Center Land Use Map currently designates the subject site ML-TC (Medium-Low Density Residential - Town Center), which allows a density range of 5.6 to 8.0 dwelling units per gross acre. A Major Modification of this map to MLA-TC (Medium-Low Attached Density Residential) will allow for densities up to 12 units per acre on the site.

No other overlays, districts or trails are associated with this site.

SS

ANALYSIS

A) General Analysis and Discussion

The proposed 5.07-acre site is a remnant parcel left over from previous land use approvals and subdivisions. The area is predominantly planned for residential densities of up to eight units per acre; however, a General Plan Amendment in 2003 changed the land use designation of the neighboring properties to the west and north to MLA-TC (Medium-Low Attached Density Residential – Town Center), effectively raising the maximum density limit to 12 units per acre. Although this site does not directly tie in with the neighboring development, a corresponding land use change to MLA-TC on the subject site is compatible with it because any proposed development will be of similar density. ML-TC (Medium-Low Density Residential – Town Center) designated properties to the south and east are buffered by Dorrell Lane and Campbell Road and should not be adversely affected by the proposed land use change.

FINDINGS

The MLA-TC (Medium-Low Attached Density Residential – Town Center) land use designation allows a range of uses that are compatible with the surrounding MLA-TC and ML-TC (Medium-Low Density Residential – Town Center) designations. Neighboring ML-TC properties are buffered from the subject site by two 80-foot wide public rights-of-way, Dorrell Lane and Campbell Road.

The proposed Major Modification is only compatible with the T-C (Town Center) zoning classification. A condition of approval ensures that the site will carry a conforming zoning designation. To this end, the applicant is requesting a companion application (ZON-6297) to rezone the subject site from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center).

The proposed Major Modification is in conformance to the General Plan and all development under the new designation will be subject to the standards contained in the Town Center Development Standards Manual and Title 19, where applicable.

For these reasons, the Major Modification of the Town Center Land Use Plan is warranted.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 317 [Mailed with ZON-6297, WVR-6310, SUP-6306, and SDR-6301]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-6295** APN: 125-20-101-012

Name of Property Owner: PHD ASSETS LLC

Name of Applicant: ROYAL CONSTRUCTION

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

_____ Yes ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Philip H. Davis

Print Name: Philip H. Davis

Subscribed and sworn before me

This 25th day of February, 2005

Jodie Lynne Crum

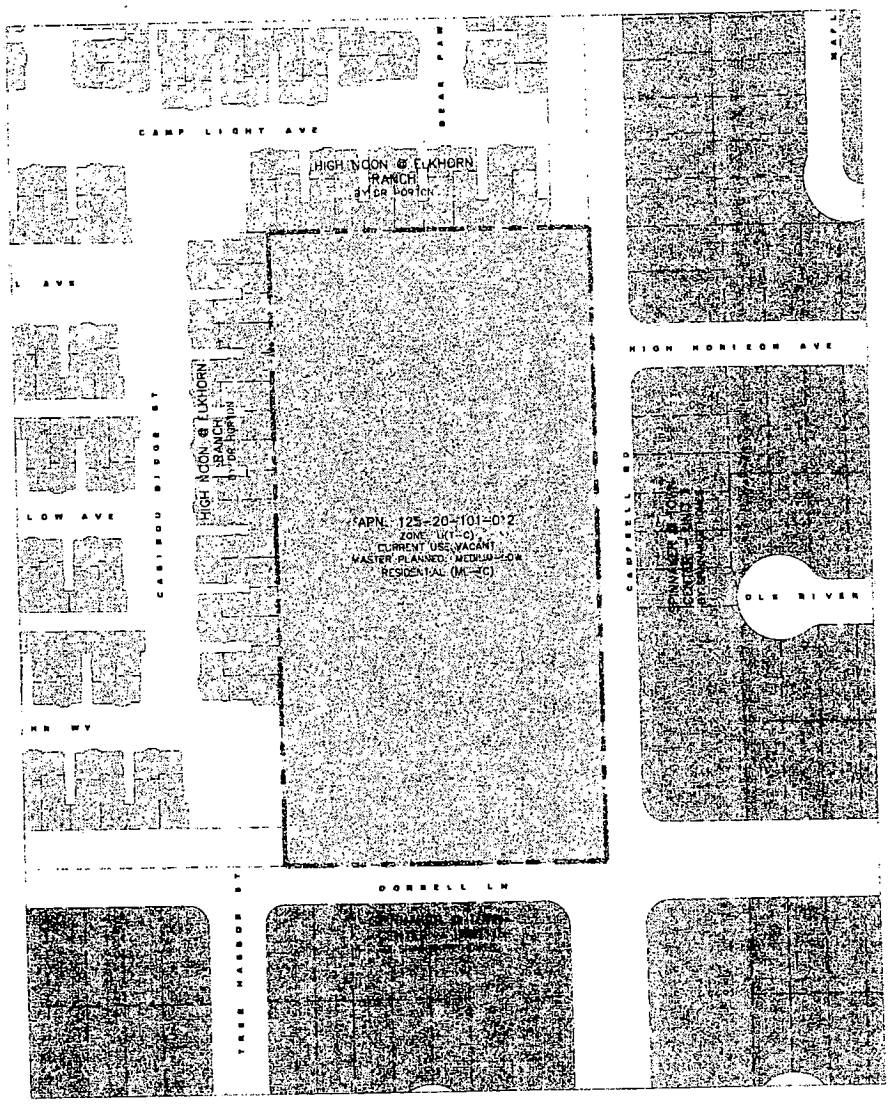
Notary Public in and for said County and State

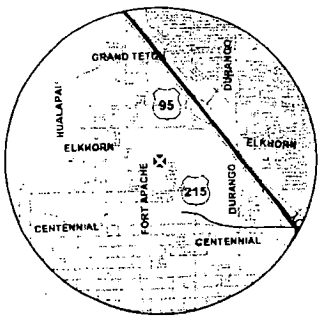
Revised 2/12/02 E:\depot\Application Packet\Statement of Financial Interest.doc

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





VICINITY MAP

DEVELOPER

OWNERS

ASSESSORS PARCEL NUMBER

OVERALL TABULATIONS

LEGEND

ML - MEDIUM LOW RESIDENTIAL

MEDIUM-LOW ATTACHED RESIDENTIAL

RECEIVED

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

ROYAL CONSTRUCTION

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

SITE PLAN TO ACCOMPANY MAJOR MODIFICATION

SPINNAKER VILLAGE IV

CITY OF LAS VEGAS, NEVADA

RC-0007

1
1

MOD-6295
04/28/05 PC

MOD-6295
ZON-6297
SUP-6306
SDR-6301
WVR-6310

RS CONSULTING, INC.
LAS VEGAS NEVADA
STRATEGIC PLANNING SOLUTIONS

March 31, 2005 ***"Revised"***

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village IV Major Modification, Rezoning, Site Development Plan Review, Special Use Permit/Waiver and Waiver of Title 18 for APN # 125-20-101-012**

On behalf of Royal Construction we respectfully request your consideration of the attached Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver applications.

Location: The proposed 5.0 acre± site is located on the northwest corner of Campbell Road and Dorrell Lane within Town Center (TC) located in Centennial Hills.

Request: At this time, Royal Construction is requesting the consideration of a Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver for a 52 unit single family attached residential development on 5.0 acres± (125-20-101-012) with a proposed density of 10.4 ± dwelling units per acre (DUA). Royal Construction has developed the adjacent three corners of this intersection within TC (known as Spinnaker at Town Center). This will not have a negative impact on the overall development of Town Center as our proposed plan is to integrate our trails and connectivity into the Town Center concept and the surrounding community.

Background/Justification: The parcel in question is currently zoned (U) undeveloped and master planned (ML-TC) Medium Low. The adjacent property to the north and west is currently zoned (T-C) and master planned (MLA-TC) Medium Low Attached, south and east is currently zoned (T-C) and master planned (ML-TC) Medium Low. Initially, the adjacent property to the north and west was planned for ML-TC and has been modified or a general plan amendment was recently approved to MLA-TC allowing up to 8.1 to 12 du/ac. In reviewing the overall development of the surrounding community, you will see that this parcel has been left with no parcel connections from the surrounding properties. We have become a stand alone 5 acre property at the intersection of Campbell and Dorrell with little opportunity for creative development possibilities. What we are proposing for this property is a very attractive single family residential attached, for sale development. This product has approvals and is being developed in other areas of the City. Royal Construction has a product that is architecturally compatible and is suited for Town Center at this location and we respectfully request your approvals for the Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver.

Major Modification/Zone Change: Our request at this time is for a Major Modification to the Town Center Plan from ML-TC to MLA-TC which will allow us the flexibility with the product we are proposing for this site. Additionally, we are requesting a zone change from (U) Undeveloped to (TC) Town Center that is consistent with the Town Center plan.

Waiver of Title: A *Title 18 Waiver* (18.12.160) intersection distance, waiver application to allow the reduction of the minimum distance requirements between streets will accompany this request. (as shown on submitted plans). Due to the sites configuration, product type, drainage patterns and existing developments surrounding this site, it was difficult not to design creating an off-set issue based on the existing streets. The proposed off-set intersection is a controlled intersection, meaning that we are planning on gating this community (see our request for a Special Use Permit).

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

REVISED
4-1-05

Special Use Permit/Waiver: Based on the Town Center (TC) criteria *(Residential Standards – G. Gated Communities)* for gated communities with private streets, it is necessary for Royal Construction to request for a Special Use Permit for these items to be reviewed by the City Council. Based on our proposed product (single family attached units) and the location of the existing site within TC (Campbell and Dorrell), we feel that this is an ideal location for a private gated community based on the surrounding approvals to the north and west, limiting development of our property. Because of the limited access to this parcel, we will also be requesting a waiver of the requirement for two activated gate entrances. *(Residential Standards – G. Gated Communities (2))* As we are not taking direct access from an arterial street and the constraints placed upon this site by the surrounding developments, it is necessary that we request this additional waiver. The site is a relatively small site and will have minor impacts with respect to traffic and we feel that due to the existing conditions the waiver request be approved.

Development Standards: All interior streets will be 37.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

R-PD (based on private/gated streets within TC) Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: .858 acres± (37,374 s.f.±)
Open Space Provided: .99 acres± (42,991 s.f.±)

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the Town Center community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No.: 61

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-6297 - REZONING RELATED TO MOD-6295 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Rezoning FROM: U (UNDEVELOPED) [TC (TOWN CENTER) GENERAL PLAN DESIGNATION] TO: T-C (TOWN CENTER) [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation] on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-6295) of the Town Center Land Use Plan to a MLA-TC (Medium-Low Attached Density Residential – Town Center) land use designation approved by the City Council.

2. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.

3. A Site Development Plan Review application (SDR-6301) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 40 feet on Campbell Road and a 25 foot radius on the northwest corner of Dorrell Lane and Campbell Road.

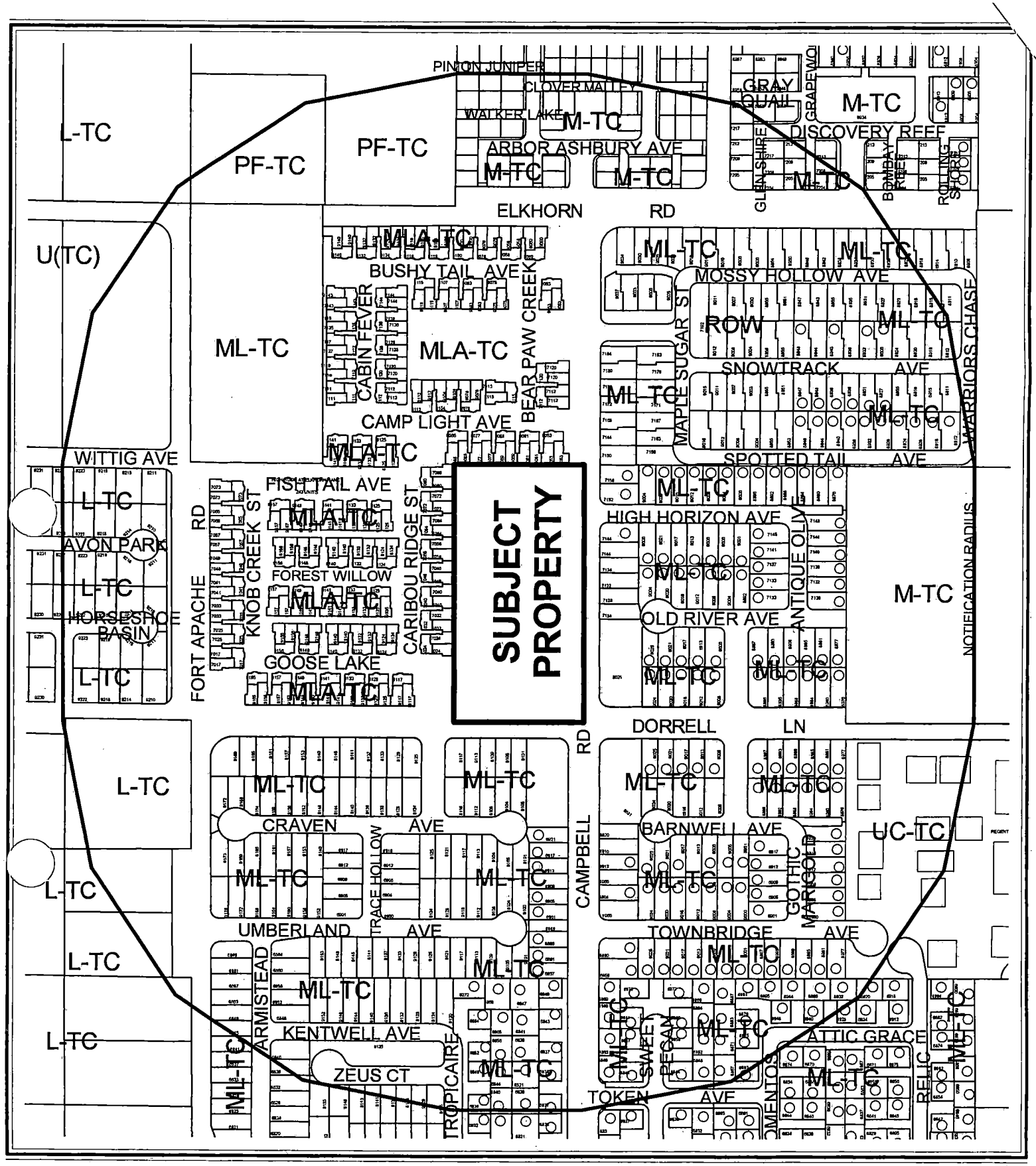
5. Construct half-street improvements on Dorrell Lane and Campbell Road adjacent to this site and construct the full roundabout within the intersection of Dorrell Lane and Campbell Road concurrent with development of this site. Coordinate with the Traffic Engineering Division on the design of the roundabout. The roundabout shall be landscaped in accordance with Town Center standards and maintained by the Homeowners Association. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site, including roundabout landscaping, prior to occupancy of this site.

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 submittal 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

CONDITIONS – Continued:

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-6297**

RADIUS: 1000 FT

0 300 600 Feet

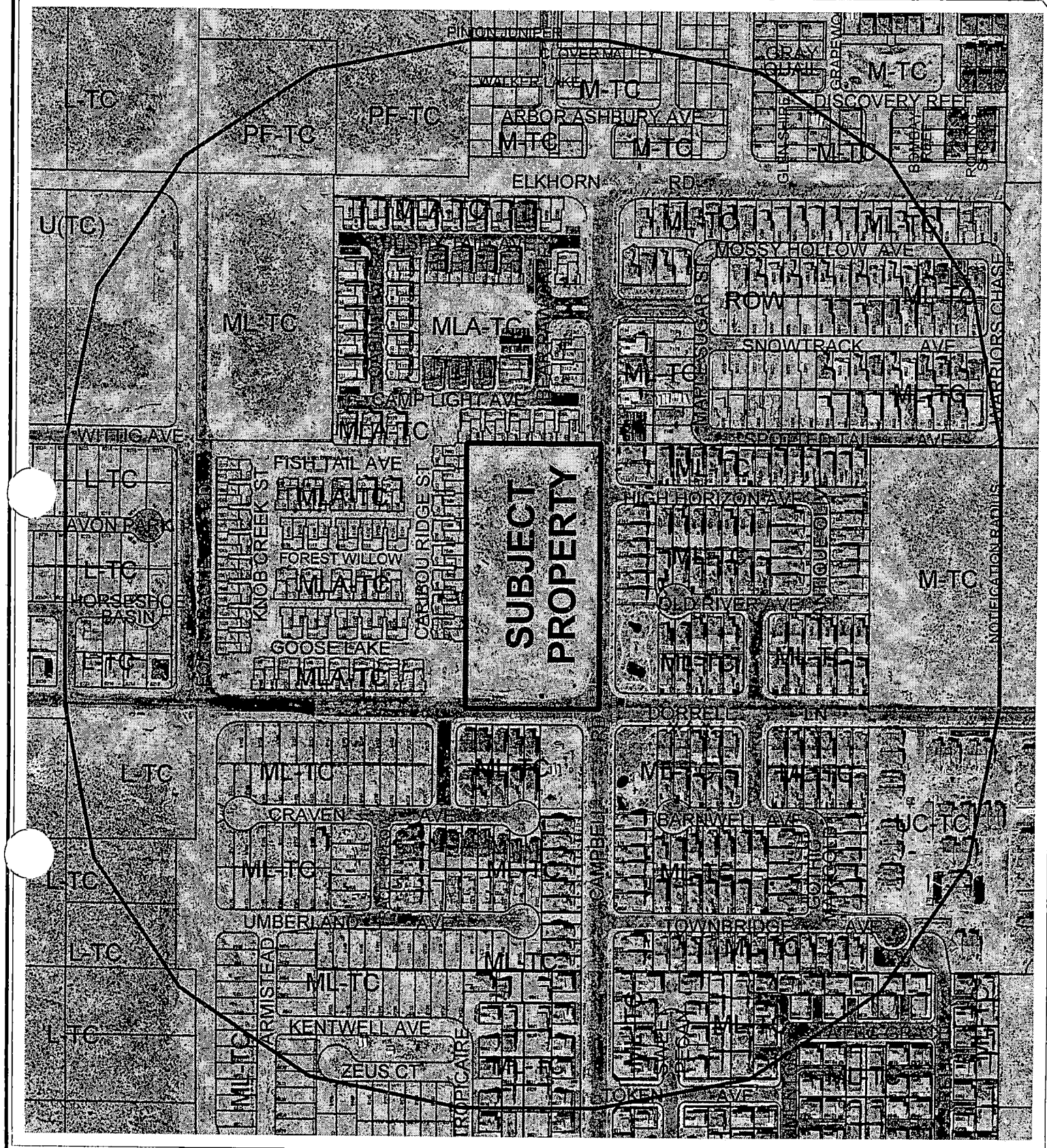
N

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION PROPOSED TO MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)]



CASE: **ZON-6297**

RADIUS: 1000 FT

0 300 600 Feet

N

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION PROPOSED TO MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6297 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. A Major Modification (MOD-6295) of the Town Center Land Use Plan to a MLA-TC (Medium-Low Attached Density Residential – Town Center) land use designation approved by the City Council.

2. Pursuant to Title 19.06.110, this Rezoning request shall go direct to Ordinance.

3. A Site Development Plan Review application (SDR-6301) approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

4. Dedicate 40 feet of right-of-way adjacent to this site for Dorrell Lane, 40 feet on Campbell Road and a 25 foot radius on the northwest corner of Dorrell Lane and Campbell Road.

5. Construct half-street improvements on Dorrell Lane and Campbell Road adjacent to this site and construct the full roundabout within the intersection of Dorrell Lane and Campbell Road concurrent with development of this site. Coordinate with the Traffic Engineering Division on the design of the roundabout. The roundabout shall be landscaped in accordance with Town Center standards and maintained by the Homeowners Association. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

6. Submit an Encroachment Agreement for all landscaping and private improvements located in the public right-of-way adjacent to this site, including roundabout landscaping, prior to occupancy of this site.

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 submittal 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

SS

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.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road.

B) Applicant's Justification

According to the applicant's justification letter, the subject parcel has been isolated from surrounding properties through previous zoning actions. The adjacent properties are all currently zoned T-C (Town Center). The product proposed for this location is architecturally compatible and is suited for Town Center.

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved a petition to annex approximately 495 acres of property located in various parts of the city, including the subject site, under the provisions of NRS 268.597 No. 1(b). The Planning Commission and staff recommended approval.

05/26/05 The Planning Commission will consider companion items for a Major Modification (MOD-6295) of the Town Center Land Use Map to change the land use designation from ML-TC (Medium-Low Density Residential – Town Center) to MLA-TC (Medium-Low Attached Density Residential – Town Center), a Waiver (WVR-6310) of Title 18.12.160 to allow approximately 177 feet and 208 feet between street intersections where 220 feet is the minimum distance separation required, a Special Use Permit (SUP-6306) for a proposed gated community with private streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required, and a Site Development Plan Review (SDR-6301) for a proposed 52-lot single family attached residential development on the subject site.

SS

B) Pre-Application Meeting

03/03/05 The applicant was advised to apply for a Major Modification of the Town Center Land Use Map to change the land use designation to accommodate a higher density development, as well as applying for a Rezoning to Town Center zoning and a Special Use Permit for a gated community with private streets. A Title 18 Waiver for the intersection offset will be necessary given the current design. A roundabout is planned for Campbell Road at Dorrell Lane; this should be worked into the design. A neighborhood meeting is required for the Major Modification, as it is similar to a General Plan land use change. This meeting should be held at least 30 days prior to the Planning Commission meeting.

C) Neighborhood Meetings

03/28/05 Four interested persons were in attendance. Concerns raised were the proposed gated entry and possible access to Campbell Road. No one was in opposition to the proposed development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.07

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. It is designated TC (Town Center) by the Centennial Hills Interlocal Land Use Plan. The subject site is proposed to be rezoned to T-C (Town Center) to comply with this land use designation.

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

The Town Center Land Use Map currently designates the subject site ML-TC (Medium-Low Residential - Town Center), which allows a density range of 5.6 to 8.0 dwelling units per gross acre. A Major Modification of this map to MLA-TC (Medium-Low Attached Density Residential) will allow for densities up to 12 units per acre on the site. The proposed site plan proposes a gross density of 10.3 units per acre, which would conform to the Town Center Land Use Map, assuming approval of the Major Modification.

No other overlays, districts or trails are associated with this site.

ANALYSIS

A) General Analysis and Discussion

Rezoning to T-C (Town Center) is required for this site, as it has not been assigned a formal zoning district and is located within the Town Center Land Use Plan area. It is already designated TC (Town Center) by the Centennial Hills Sector Plan of the General Plan, which permits higher density residential uses such as the one proposed in conjunction with this application. The subject parcel is surrounded by Town Center zoned properties, and is the last undeveloped, non-zoned parcel east of Fort Apache Road and north of Deer Springs Way.

A Site Development Plan Review is required of all development in Town Center. To this end, SDR-6301 has been submitted for review and approval.

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 property proposed for rezoning to T-C (Town Center) has an existing TC (Town Center) land use designation, intending to allow for mixed-use commercial, industrial, residential and recreational development. The T-C (Town Center) zoning district is compatible with the TC (Town Center) General Plan category.

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."**

   Because of existing higher density residential development surrounding the subject property, the only appropriate uses for the property will be similar to those approved on adjacent lands. A companion Site Development Plan Review (SDR-6301) for a 52-lot single-family attached residential development has been submitted for review and approval demonstrating compatibility with the types of uses in the area.

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

   The subject site is included within the Town Center Land Use Plan area and the proposed rezoning will allow the development of this property in accordance with the Town Center Development Standards Manual.

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."**

   Dorrell Lane, an 80-foot wide Town Center Residential Collector as designated by the Town Center Street Classification Map, will provide adequate access to the subject site.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 317 [Mailed with MOD-6295, WVR-6310, SUP-6306, and SDR-6301]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6297 APN: 125-20-101-012

Name of Property Owner: PHD ASSETS LLC

Name of Applicant: ROYAL CONSTRUCTION

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

____ Yes ✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Philip H. Davis

Print Name: Philip H. Davis

Subscribed and sworn before me

This 25th day of February, 2005

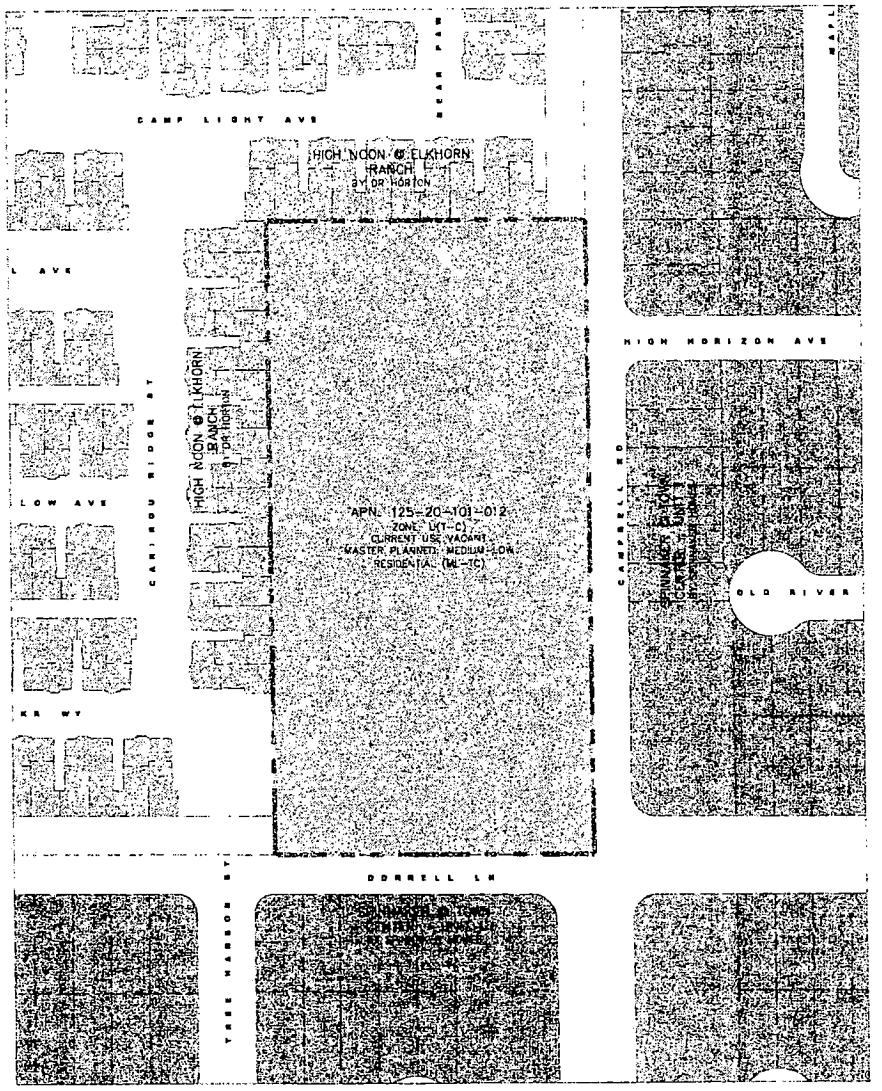
Notary Public in and for said County and State

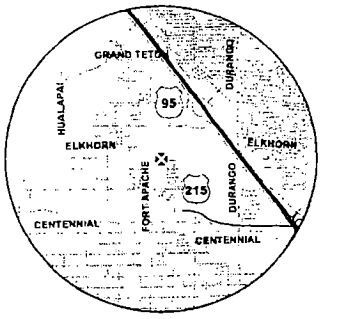
My appt. exp. Feb. 17, 2007

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





VICINITY MAP

DEVELOPER

OWNERS

ASSESSORS PARCEL NUMBER:

OVERALL TABULATIONS

LEGEND

ML - MEDIUM LOW RESIDENTIAL

MEDIUM-LOW ATTACHED RESIDENTIAL

PRESENTED

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

ROYAL CONSTRUCTION

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

SITE PLAN TO ACCOMPANY MAJOR MODIFICATION

SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

RC-0007

1
1

ZON-6297
04/28/05 PC

MND-6295
ZON-6297
SUP-6306
SDR-6301
WVR-6310

LAS VEGAS
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
NEVADA

March 31, 2005 ***"Revised"***

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village IV Major Modification, Rezoning, Site Development Plan Review, Special Use Permit/Waiver and Waiver of Title 18 for APN # 125-20-101-012**

On behalf of Royal Construction we respectfully request your consideration of the attached Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver applications.

Location: The proposed 5.0 acre± site is located on the northwest corner of Campbell Road and Dorrell Lane within Town Center (TC) located in Centennial Hills.

Request: At this time, Royal Construction is requesting the consideration of a Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver for a 52 unit single family attached residential development on 5.0 acres± (125-20-101-012) with a proposed density of 10.4 ± dwelling units per acre (DUA). Royal Construction has developed the adjacent three corners of this intersection within TC (known as Spinnaker at Town Center). This will not have a negative impact on the overall development of Town Center as our proposed plan is to integrate our trails and connectivity into the Town Center concept and the surrounding community.

Background/Justification: The parcel in question is currently zoned (U) undeveloped and master planned (ML-TC) Medium Low. The adjacent property to the north and west is currently zoned (T-C) and master planned (MLA-TC) Medium Low Attached, south and east is currently zoned (T-C) and master planned (ML-TC) Medium Low. Initially, the adjacent property to the north and west was planned for ML-TC and has been modified or a general plan amendment was recently approved to MLA-TC allowing up to 8.1 to 12 du/ac. In reviewing the overall development of the surrounding community, you will see that this parcel has been left with no parcel connections from the surrounding properties. We have become a stand alone 5 acre property at the intersection of Campbell and Dorrell with little opportunity for creative development possibilities. What we are proposing for this property is a very attractive single family residential attached, for sale development. This product has approvals and is being developed in other areas of the City. Royal Construction has a product that is architecturally compatible and is suited for Town Center at this location and we respectfully request your approvals for the Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver.

Major Modification/Zone Change: Our request at this time is for a Major Modification to the Town Center Plan from ML-TC to MLA-TC which will allow us the flexibility with the product we are proposing for this site. Additionally, we are requesting a zone change from (U) Undeveloped to (TC) Town Center that is consistent with the Town Center plan.

Waiver of Title: A *Title 18 Waiver* (18.12.160) intersection distance, waiver application to allow the reduction of the minimum distance requirements between streets will accompany this request. (as shown on submitted plans). Due to the sites configuration, product type, drainage patterns and existing developments surrounding this site, it was difficult not to design creating an off-set issue based on the existing streets. The proposed off-set intersection is a controlled intersection, meaning that we are planning on gating this community (see our request for a Special Use Permit).

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

REVISED
4-1-05

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
LAS VEGAS NEVADA

Spinnaker Village IV
MM, Rezoning, SDR, SUP, WVR
APN's 125-20-101-012

Special Use Permit/Waiver: Based on the Town Center (TC) criteria *(Residential Standards – G. Gated Communities)* for gated communities with private streets, it is necessary for Royal Construction to request for a Special Use Permit for these items to be reviewed by the City Council. Based on our proposed product (single family attached units) and the location of the existing site within TC (Campbell and Dorrell), we feel that this is an ideal location for a private gated community based on the surrounding approvals to the north and west, limiting development of our property. Because of the limited access to this parcel, we will also be requesting a waiver of the requirement for two activated gate entrances. *(Residential Standards – G. Gated Communities (2))* As we are not taking direct access from an arterial street and the constraints placed upon this site by the surrounding developments, it is necessary that we request this additional waiver. The site is a relatively small site and will have minor impacts with respect to traffic and we feel that due to the existing conditions the waiver request be approved.

Development Standards: All interior streets will be 37.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

R-PD (based on private/gated streets within TC) Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: .858 acres± (37,374 s.f.±)
Open Space Provided: .99 acres± (42,991 s.f.±)

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the Town Center community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No.: 62

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

WVR-6310 - WAIVER RELATED TO MOD-6295 AND ZON-6297 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 177 FEET AND 208 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

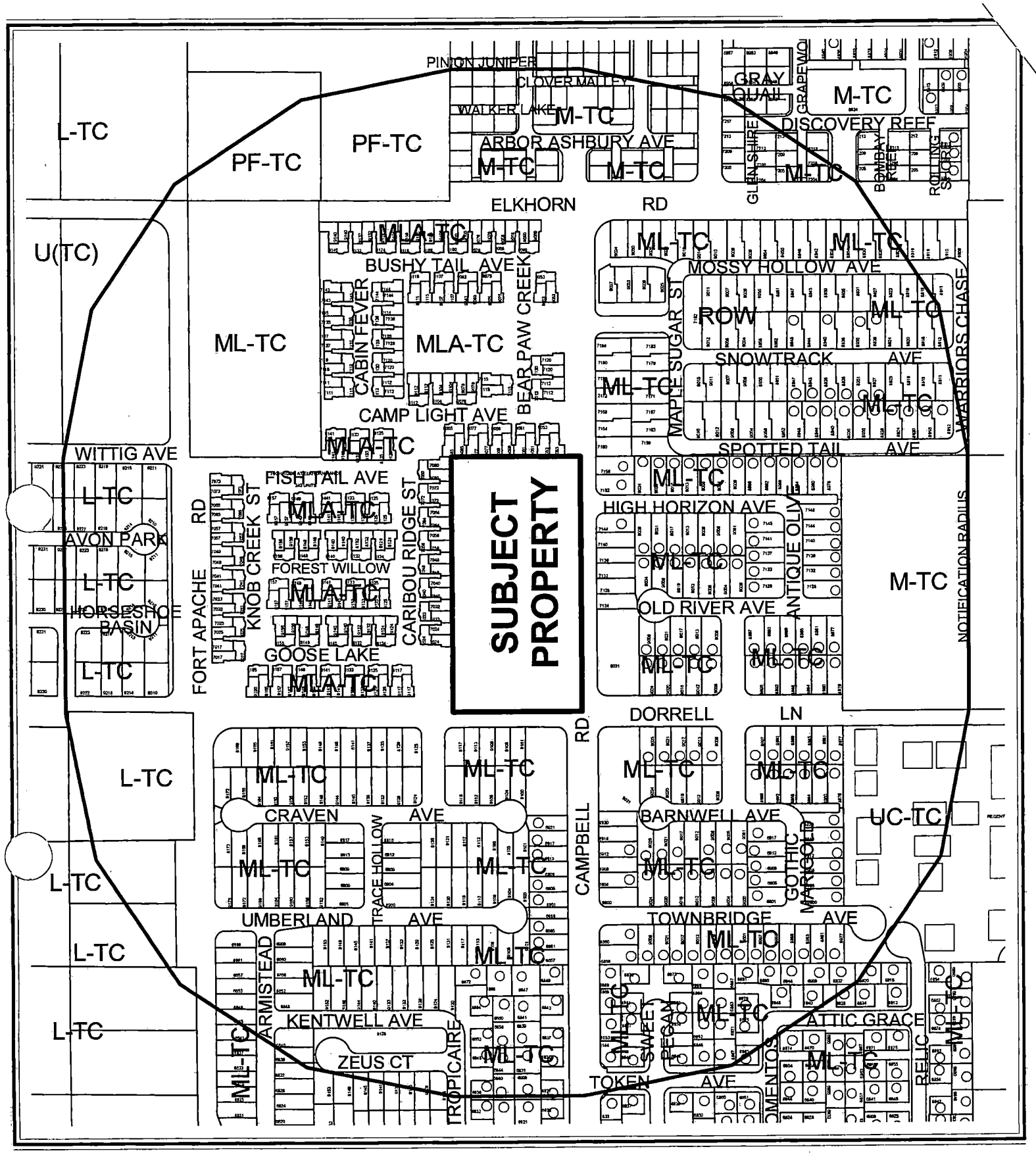
PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 62 – WVR-6310

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297) and Site Development Plan Review (SDR-6301).

2. All City Code Requirements and all City Department design standards shall be met, other than those waived or varied through this and companion applications.



CASE: **WVR-6310**

RADIUS: 1000 FT

0 300 600 Feet

N

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION PROPOSED TO MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6310 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.

** CONDITIONS **

STAFF RECOMMENDATION: **APPROVAL,** subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297) and Site Development Plan Review (SDR-6301).

2. All City Code Requirements and all City Department design standards shall be met, other than those waived or varied through this and companion applications.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Waiver of Title 18.12.160 to allow approximately 177 feet and 208 feet between street intersections where 220 feet is the minimum distance separation required in conjunction with a proposed 52-lot single-family attached residential development on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road.

B) Applicant's Justification

According to the applicant's justification letter, the developer has a product that is architecturally compatible with and suited for Town Center at this location. This product has been previously approved and developed in the city. Based on the type of product, the developer feels this is an ideal location for a private gated community based on the approvals of developments to the north and west. The site meets open space requirements.

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved a petition to annex approximately 495 acres of property located in various parts of the city, including the subject site, under the provisions of NRS 268.597 No. 1(b). The Planning Commission and staff recommended approval.

05/26/05 The Planning Commission will consider companion items for a Major Modification (MOD-6295) of the Town Center Land Use Map to change the land use designation from ML-TC (Medium-Low Density Residential – Town Center) to MLA-TC (Medium-Low Attached Density Residential – Town Center), a Rezoning (ZON-6297) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Special Use Permit (SUP-6306) for a proposed gated community with private streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required, and a Site Development Plan Review (SDR-6301) for a proposed 52-lot single family attached residential development on the subject site.

B) Pre-Application Meeting

03/03/05 The applicant was advised to apply for a Major Modification of the Town Center Land Use Map to change the land use designation to accommodate a higher density development, as well as applying for a Rezoning to Town Center zoning and a Special Use Permit for a gated community with private streets. A Title 18 Waiver for the intersection offset will be necessary given the current design. A roundabout is planned for Campbell Road at Dorrell Lane; this should be worked into the design. A neighborhood meeting is required for the Major Modification, as it is similar to a General Plan land use change. This meeting should be held at least 30 days prior to the Planning Commission meeting.

C) Neighborhood Meetings

03/28/05 Four interested persons were in attendance. Concerns raised were the proposed gated entry and possible access to Campbell Road. No one was in opposition to the proposed development on the site.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.07

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. It is designated TC (Town Center) by the Centennial Hills Interlocal Land Use Plan. The subject site is proposed to be rezoned to T-C (Town Center) to comply with this land use designation. The Town Center Land Use Map currently designates the subject site ML-TC (Medium-Low Density Residential - Town Center), which allows a density range of 5.6 to 8.0 dwelling units per gross acre. A Major Modification of this map to MLA-TC (Medium-Low Attached Density Residential) will allow for densities up to 12 units per acre on the site. The proposed site plan proposes a gross density of 10.3 units per acre, which would conform to the Town Center Land Use Map, assuming approval of the Major Modification.

ANALYSIS

A) Subdivision Code Compliance

The applicant seeks to waive the requirements of the Subdivision Ordinance with regard to the minimum distance required between the intersections of streets providing external access from subdivisions to other streets of 60 feet or more in width. This requirement, found in Title 18.12.160, prescribes this minimum distance as 220 feet.

Specifically, Title 18.12.160 states:

> "Any intersection of any street that provides external access from a subdivision to any existing or planned street abutting the subdivision which has a right-of-way of sixty feet or more shall be offset from any other intersection by at least two hundred and twenty feet, measured from centerline to centerline."

Dorrell Lane is classified as an 80-foot Town Center Residential Collector public right-of-way. The design as proposed will still allow adequate turning movements between the proposed local street entrance/Dorrell Lane intersection and both the Campbell Road/Dorrell Lane and Tree Harbor Street and Dorrell Lane intersections. Traffic around the affected intersections is anticipated to be light. The entrance to the proposed development will be gated, further restricting public access. In addition, the applicant indicates that reconfiguration of this access point to Campbell Road is not possible without substantially compromising the concept and design of the project. The requested reductions represent between a 5-20% reduction in the minimum standard.

FINDINGS

The proposed design does not appear to present left turn traffic conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the small size of the parcel and its location surrounded by existing residential development; therefore, approval of the Waiver is recommended. The Department of Public Works also has no objection to this Waiver request.

SS

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 317 [Mailed with MOD-6295, ZON-6297, SUP-6306, and SDR-6301]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-6310** APN: 125-20-101-012

Name of Property Owner: PHD ASSETS LLC

Name of Applicant: ROYAL CONSTRUCTION

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

____ Yes ____✓____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: [signature]

Print Name: Philip H. Davis

Subscribed and sworn before me

This 25th day of February, 2005

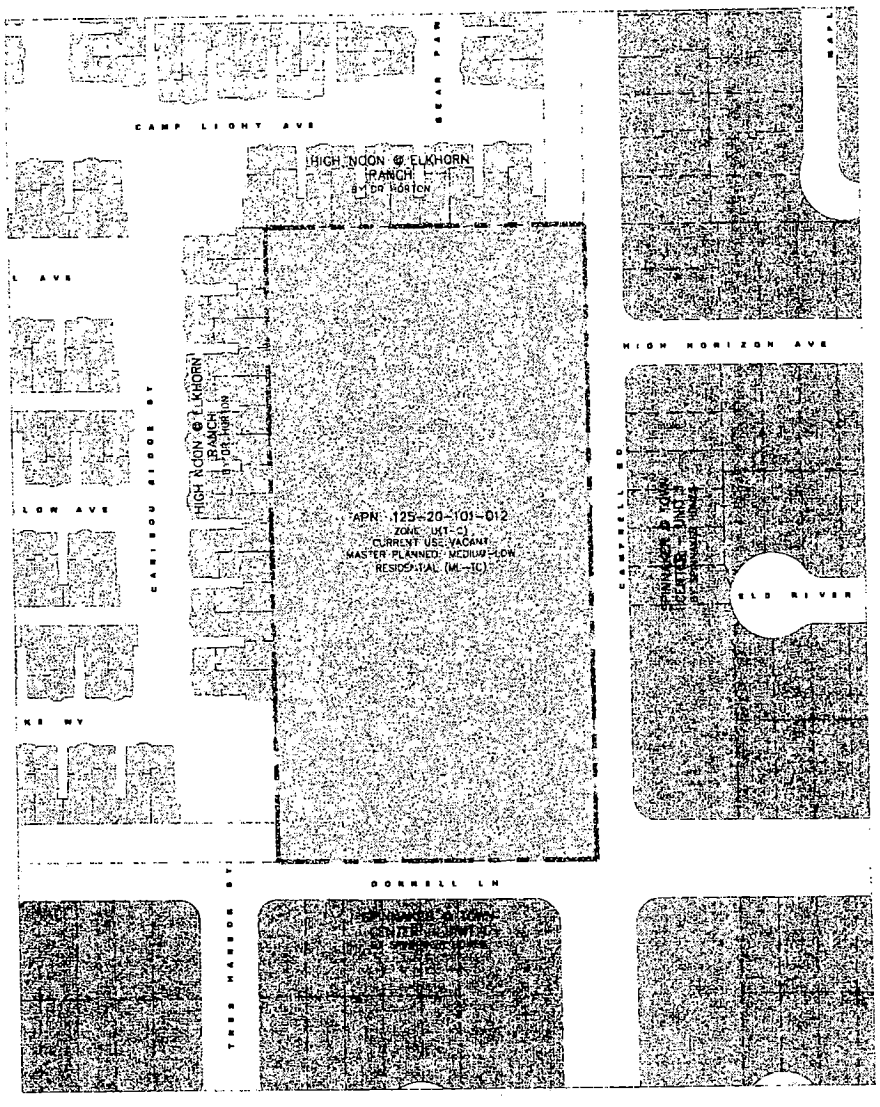
[signature]

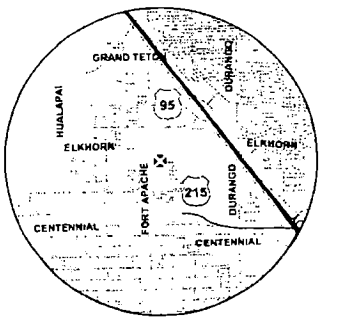
Notary Public in and for said County and State

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





VICINITY MAP

DEVELOPER

OWNERS

ASSESSORS PARCEL NUMBER

OVERALL TABULATIONS

LEGEND

ML - MEDIUM LOW RESIDENTIAL

MEDIUM-LOW ATTACHED RESIDENTIAL

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

ROYAL CONSTRUCTION

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

SITE PLAN TO ACCOMPANY MAJOR MODIFICATION

SPINNAKER VILLAGE IV

CITY OF LAS VEGAS, NEVADA

RC-0007

1
1

WVR-6310
04/28/05 PC

MOD-6295
ZON-6297
SUP-6306
SDR-6301
WVR-6310

RS CONSULTING, INC.
LAS VEGAS NEVADA
STRATEGIC PLANNING SOLUTIONS

March 31, 2005 ***"Revised"***

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village IV Major Modification, Rezoning, Site Development Plan Review, Special Use Permit/Waiver and Waiver of Title 18 for APN # 125-20-101-012**

On behalf of Royal Construction we respectfully request your consideration of the attached Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver applications.

Location: The proposed 5.0 acre± site is located on the northwest corner of Campbell Road and Dorrell Lane within Town Center (TC) located in Centennial Hills.

Request: At this time, Royal Construction is requesting the consideration of a Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver for a 52 unit single family attached residential development on 5.0 acres± (125-20-101-012) with a proposed density of 10.4 ± dwelling units per acre (DUA). Royal Construction has developed the adjacent three corners of this intersection within TC (known as Spinnaker at Town Center). This will not have a negative impact on the overall development of Town Center as our proposed plan is to integrate our trails and connectivity into the Town Center concept and the surrounding community.

Background/Justification: The parcel in question is currently zoned (U) undeveloped and master planned (ML-TC) Medium Low. The adjacent property to the north and west is currently zoned (T-C) and master planned (MLA-TC) Medium Low Attached, south and east is currently zoned (T-C) and master planned (ML-TC) Medium Low. Initially, the adjacent property to the north and west was planned for ML-TC and has been modified or a general plan amendment was recently approved to MLA-TC allowing up to 8.1 to 12 du/ac. In reviewing the overall development of the surrounding community, you will see that this parcel has been left with no parcel connections from the surrounding properties. We have become a stand alone 5 acre property at the intersection of Campbell and Dorrell with little opportunity for creative development possibilities. What we are proposing for this property is a very attractive single family residential attached, for sale development. This product has approvals and is being developed in other areas of the City. Royal Construction has a product that is architecturally compatible and is suited for Town Center at this location and we respectfully request your approvals for the Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver.

Major Modification/Zone Change: Our request at this time is for a Major Modification to the Town Center Plan from ML-TC to MLA-TC which will allow us the flexibility with the product we are proposing for this site. Additionally, we are requesting a zone change from (U) Undeveloped to (TC) Town Center that is consistent with the Town Center plan.

Waiver of Title: A *Title 18 Waiver* (18.12.160) intersection distance, waiver application to allow the reduction of the minimum distance requirements between streets will accompany this request. (as shown on submitted plans). Due to the sites configuration, product type, drainage patterns and existing developments surrounding this site, it was difficult not to design creating an off-set issue based on the existing streets. The proposed off-set intersection is a controlled intersection, meaning that we are planning on gating this community (see our request for a Special Use Permit).

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

REVISED
4-1-05

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
LAS VEGAS NEVADA

Special Use Permit/Waiver: Based on the Town Center (TC) criteria *(Residential Standards – G. Gated Communities)* for gated communities with private streets, it is necessary for Royal Construction to request for a Special Use Permit for these items to be reviewed by the City Council. Based on our proposed product (single family attached units) and the location of the existing site within TC (Campbell and Dorrell), we feel that this is an ideal location for a private gated community based on the surrounding approvals to the north and west, limiting development of our property. Because of the limited access to this parcel, we will also be requesting a waiver of the requirement for two activated gate entrances. *(Residential Standards – G. Gated Communities (2))* As we are not taking direct access from an arterial street and the constraints placed upon this site by the surrounding developments, it is necessary that we request this additional waiver. The site is a relatively small site and will have minor impacts with respect to traffic and we feel that due to the existing conditions the waiver request be approved.

Development Standards: All interior streets will be 37.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

R-PD (based on private/gated streets within TC) Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: .858 acres± (37,374 s.f.±)
Open Space Provided: .99 acres± (42,991 s.f.±)

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the Town Center community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No.: 63

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] **CONSENT** [X] **DISCUSSION**

SUBJECT:

SUP-6306 - SPECIAL USE PERMIT RELATED TO MOD-6295, ZON-6297, AND WVR-6310 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Special Use Permit FOR A PROPOSED GATED COMMUNITY WITH PRIVATE STREETS AND A WAIVER OF TOWN CENTER DEVELOPMENT STANDARDS TO ALLOW A SINGLE GATED ENTRANCE WHERE A MINIMUM OF TWO GATED ENTRANCES IS REQUIRED adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential - Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 63 – SUP-6306

CONDITIONS:

Planning and Development

1. Conformance to all requirements under Title 19.04.040.C and the Town Center Development Standards Manual Subsection E.G, except those waived by this application.

2. The requirement for two active gated entrances to the development is hereby waived.

3. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297), Waiver (WVR-6310) and Site Development Plan Review (SDR-6301).

4. Private streets and drives shall be subject to the design standards specified in Title 18 (Las Vegas Subdivision Ordinance).

5. 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.

6. All City Code Requirements and all City Department design standards shall be met, other than those waived through this and companion applications.

Public Works

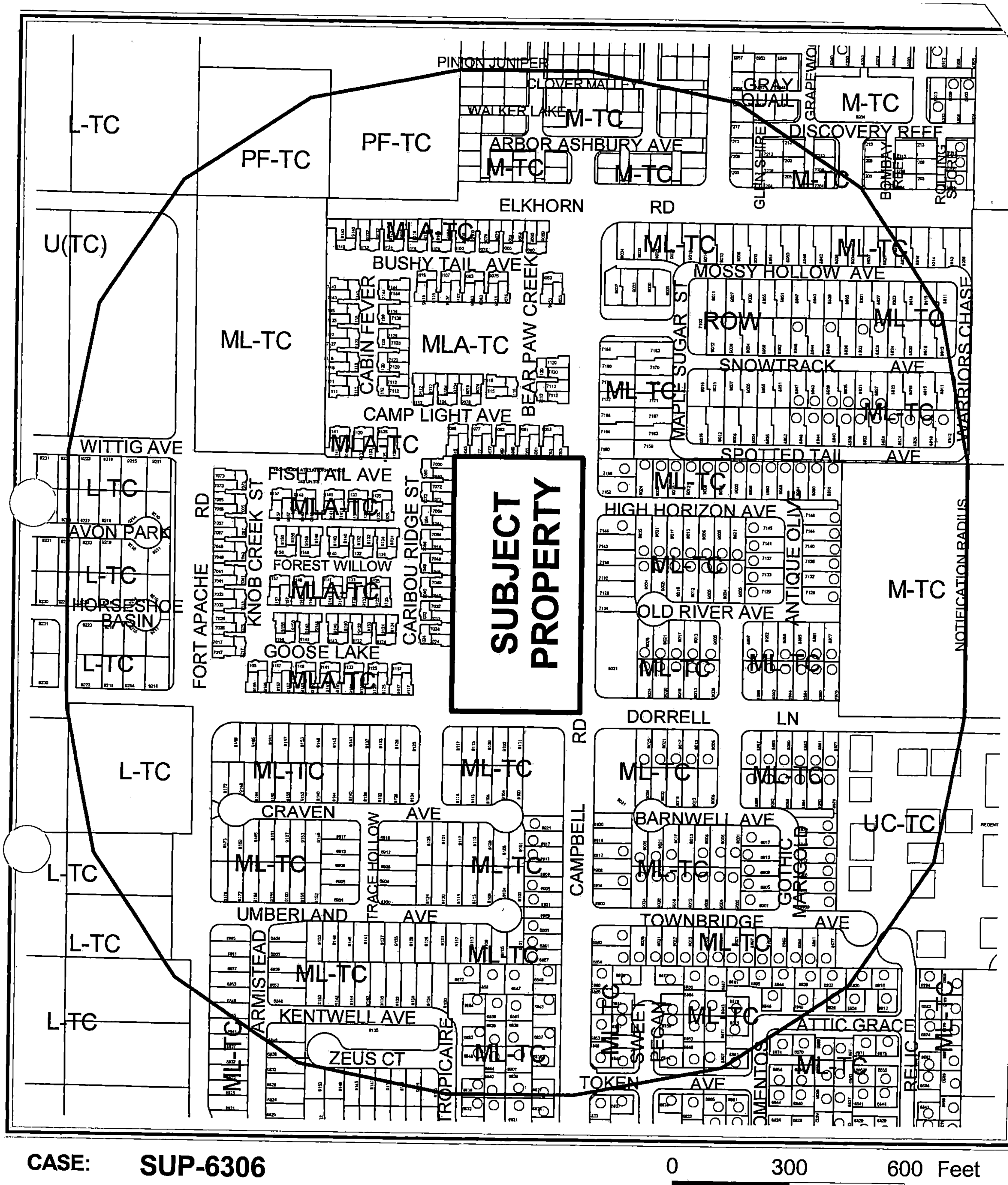
7. Private streets and private drives shall be common lots that are offered as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners Association.

8. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

11. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6297 and all other applicable site-related actions.



CASE: **SUP-6306**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION PROPOSED TO MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-6306 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Conformance to all requirements under Title 19.04.040.C and the Town Center Development Standards Manual Subsection E.G, except those waived by this application.

2. The requirement for two active gated entrances to the development is hereby waived.

3. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-6295), Rezoning (ZON-6297), Waiver (WVR-6310) and Site Development Plan Review (SDR-6301).

4. Private streets and drives shall be subject to the design standards specified in Title 18 (Las Vegas Subdivision Ordinance).

5. 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.

6. All City Code Requirements and all City Department design standards shall be met, other than those waived through this and companion applications.

Public Works

7. Private streets and private drives shall be common lots that are offered as a public utility easement (P.U.E), City of Las Vegas public sewer easement and public drainage easement to be privately maintained by the Homeowners Association.

8. A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

9. Gated access drives shall be designed, located and constructed in accordance with Standard Drawing #222a.

SS

10. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

11. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6297 and all other applicable site-related actions.

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Special Use Permit for a proposed Gated Community with Private Streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required on property adjacent to the northwest corner of Dorrell Lane and Campbell Road.

B) Applicant's Justification

According to the applicant's justification letter, the Special Use Permit is required to allow private streets and access gates within Town Center. Based on the single family attached product proposed, the size of the subject property and the location of this property next to existing residential development, this is an ideal location for a private gated community. The waiver is warranted given the limited access to the site created by the existing surrounding developments. The site is relatively small and will have minor traffic-related impacts.

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved a petition to annex approximately 495 acres of property located in various parts of the city, including the subject site, under the provisions of NRS 268.597 No. 1(b). The Planning Commission and staff recommended approval.

02/19/03 The City Council approved a General Plan Amendment (GPA-1350) to amend a portion of the Centennial Hills Sector Plan from ML-TC (Medium-Low Density Residential - Town Center) to MLA-TC (Medium-Low Attached Density Residential - Town Center) on 20.41 acres to the west and north of the subject property. The Planning Commission recommended approval. Staff recommended denial, citing incompatibility with the surrounding land uses.

03/19/03 The City Council approved a Special Use Permit (SUP-1598) for a Gated Community with Private Streets and a waiver to allow one active gated entrance where two is the minimum required by the Town Center Development Standards on property to the west and north of the subject property. The Planning Commission recommended approval. Staff recommended denial.

05/26/05 The Planning Commission will consider companion items for a Major Modification (MOD-6295) of the Town Center Land Use Map to change the land use designation from ML-TC (Medium-Low Density Residential – Town Center) to MLA-TC (Medium-Low Attached Density Residential – Town Center), a Rezoning (ZON-6297) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Special Use Permit (SUP-6306) for a proposed gated community with private streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required, and a Site Development Plan Review (SDR-6301) for a proposed 52-lot single family attached residential development on the subject site.

B) Pre-Application Meeting

03/03/05 The applicant was advised to apply for a Major Modification of the Town Center Land Use Map to change the land use designation to accommodate a higher density development, as well as applying for a Rezoning to Town Center zoning and a Special Use Permit for a gated community with private streets. A Title 18 Waiver for the intersection offset will be necessary given the current design. A roundabout is planned for Campbell Road at Dorrell Lane; this should be worked into the design. A neighborhood meeting is required for the Major Modification, as it is similar to a General Plan land use change. This meeting should be held at least 30 days prior to the Planning Commission meeting.

C) Neighborhood Meetings

03/28/05 Four interested persons were in attendance. Concerns raised were the proposed gated entry and possible access to Campbell Road. No one was in opposition to the proposed development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.07

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

E) General Plan Compliance

The subject site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. It is designated TC (Town Center) by the Centennial Hills Interlocal Land Use Plan. The subject site is proposed to be rezoned to T-C (Town Center) to comply with this land use designation. The Town Center Land Use Map currently designates the subject site ML-TC (Medium-Low Density Residential - Town Center), which allows a density range of 5.6 to 8.0 dwelling units per gross acre. A Major Modification of this map to MLA-TC (Medium-Low Attached Density Residential) will allow for densities up to 12 units per acre on the site. The proposed site plan proposes a gross density of 10.3 units per acre, which would conform to the Town Center Land Use Map, assuming approval of the Major Modification.

ANALYSIS

A) Zoning Code Compliance

There are no Zoning Code compliance issues that are pertinent to the proposed application requesting private streets within a gated community. It is noted, however, that the condominium development to the west and north of the subject property has already been approved for private streets and access gates.

B) General Analysis and Discussion

- Zoning

  The site is currently zoned as U (Undeveloped) [TC (Town Center) General Plan Designation] with a ML-TC (Medium-Low Density Residential – Town Center) land use designation. The proposed Rezoning (ZON-6297) for this site will change the zoning to T-C (Town Center) and a proposed Major Modification of the Town Center Land Use Plan will change the land use designation to MLA-TC (Medium-Low Attached Density Residential – Town Center). Gated communities and private streets for a residential subdivision are allowed within the T-C (Town Center) zoning district only with the approval of a Special Use Permit by the City Council.

- Use

  The subject development proposes a gated 37-foot private street with 24-foot private drives for a proposed 52-lot single-family attached residential development within the Town Center area. However, public streets are encouraged everywhere within Town Center, and the Town Center Development Standards are geared toward developments that include public streets. The provision of private streets within the Town Center area is highly discouraged, as the intent is to create an inviting neotraditional walkable environment. Neighborhoods should be designed so that houses face each other on public residential streets. For this reason it is recommended that this Special Use Permit application be denied. It is possible for this development to be redesigned to include a 60-foot wide Town Center Public Residential Street (including amenity zones); however, the entire concept as currently proposed would have to be changed.

- Conditions

  If approved, the developer will be required to meet conditions of the "Private Street" use as listed in Title 19.04.040, including the requirement for a homeowners' association.

  Section E.G of the Town Center Development Standards Manual stipulates three conditions of approval for gated communities with private streets:

  1. Abutting public street stubs from previously approved adjacent developments shall be terminated in a cul-de-sac or shall be extended to connect to another public street;

  2. Gated communities not taking access directly off an arterial roadway shall have a minimum of two active gated entrances. Additional gated entrances may be required to disperse the traffic throughout the street network; and

3. Consideration must be given to previously approved grading plans and drainage studies to assure minimum impact to existing and future developments.

In reference to Condition Number 1, no abutting street stubs from adjacent developments exist. Condition Number 2 applies because neither Dorrell Lane nor Campbell Road is classified as an arterial roadway. Because of the relatively small size of the parcel and the type of product desired, the design of the development will not allow for two gated entries, thus requiring the waiver of this condition. This waiver can be supported, as there is a hardship associated with the limitations of a small, isolated site. Nevertheless, the Special Use Permit as a whole cannot be supported for the conceptual reasons stated above. Condition Number 3 will be considered as permits are reviewed.

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 gated community, 37-foot wide private street and 24-foot wide private drives will not negatively affect access to the development. However, the Town Center residential concept is a design that consists of aesthetically pleasing walkable neighborhoods around public streets with houses facing each other. The proposed development does not embrace this concept. If approved, it would create an area dominated by gated communities. (The development to the west and north of the subject property is already gated.)

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

   A Major Modification (MOD-6295) of the Town Center Land Use Plan is proposed that would accommodate the density appropriate for the proposed 52-lot single-family attached residential development. Only one gated access serving the 52 lots will be available for vehicles.

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."**

SS

The applicant is proposing one active gated entrance to one 37-foot wide private street. The proposed street widths are appropriate and in conformance with the Las Vegas Subdivision Ordinance (Title 18). Ingress and egress of the proposed private streets will be via Dorrell Lane, a Town Center Residential (80-foot) Collector.

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 private streets will be subject to inspections for compliance to Title 18 (Subdivision Ordinance) requirements and to City design standards and therefore will not compromise the public health, safety and welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 317 [Mailed with MOD-6295, ZON-6297, WVR-6310, and SDR-6301]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SUP-6306 APN: 125-20-101-012

Name of Property Owner: PHD ASSETS LLC

Name of Applicant: ROYAL CONSTRUCTION

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

_____ Yes _____ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: Philip H. Davis

Print Name: _____

Subscribed and sworn before me

This 25th day of February, 2005

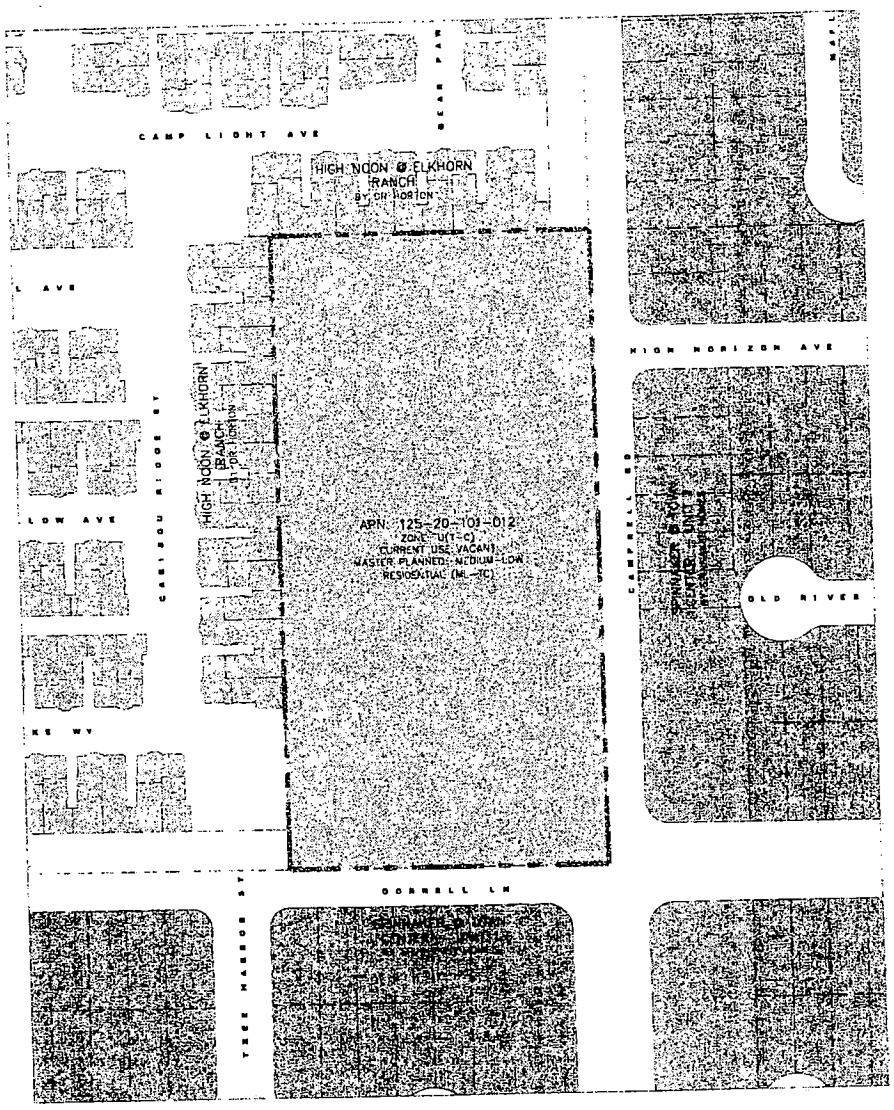
Jodie Lynne Crum

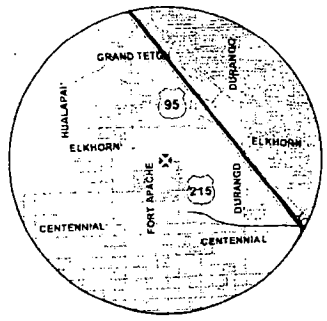
Notary Public in and for said County and State

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





VICINITY MAP

DEVELOPER

OWNERS

ASSESSORS PARCEL NUMBER

OVERALL TABULATIONS

LEGEND

ML - MEDIUM LOW RESIDENTIAL / SFD

MEDIUM-LOW ATTACHED RESIDENTIAL

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

ROYAL CONSTRUCTION

RS CONSULTING, INC.
STRATEGIC PLANNING & SOLUTIONS

SITE PLAN TO ACCOMPANY
MAJOR MODIFICATION

SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

RC-0007

1
1

SUP-6306
04/28/05 PC

MOD-6295
ZON-6297
SUP-6306
SDR-6301
WVR-6310

RS CONSULTING, INC.
LAS VEGAS NEVADA
STRATEGIC PLANNING SOLUTIONS

March 31, 2005 ***"Revised"***

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village IV Major Modification, Rezoning, Site Development Plan Review, Special Use Permit/Waiver and Waiver of Title 18 for APN # 125-20-101-012**

On behalf of Royal Construction we respectfully request your consideration of the attached Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver applications.

Location: The proposed 5.0 acre± site is located on the northwest corner of Campbell Road and Dorrell Lane within Town Center (TC) located in Centennial Hills.

Request: At this time, Royal Construction is requesting the consideration of a Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver for a 52 unit single family attached residential development on 5.0 acres± (125-20-101-012) with a proposed density of 10.4 ± dwelling units per acre (DUA). Royal Construction has developed the adjacent three corners of this intersection within TC (known as Spinnaker at Town Center). This will not have a negative impact on the overall development of Town Center as our proposed plan is to integrate our trails and connectivity into the Town Center concept and the surrounding community.

Background/Justification: The parcel in question is currently zoned (U) undeveloped and master planned (ML-TC) Medium Low. The adjacent property to the north and west is currently zoned (T-C) and master planned (MLA-TC) Medium Low Attached, south and east is currently zoned (T-C) and master planned (ML-TC) Medium Low. Initially, the adjacent property to the north and west was planned for ML-TC and has been modified or a general plan amendment was recently approved to MLA-TC allowing up to 8.1 to 12 du/ac. In reviewing the overall development of the surrounding community, you will see that this parcel has been left with no parcel connections from the surrounding properties. We have become a stand alone 5 acre property at the intersection of Campbell and Dorrell with little opportunity for creative development possibilities. What we are proposing for this property is a very attractive single family residential attached, for sale development. This product has approvals and is being developed in other areas of the City. Royal Construction has a product that is architecturally compatible and is suited for Town Center at this location and we respectfully request your approvals for the Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver.

Major Modification/Zone Change: Our request at this time is for a Major Modification to the Town Center Plan from ML-TC to MLA-TC which will allow us the flexibility with the product we are proposing for this site. Additionally, we are requesting a zone change from (U) Undeveloped to (TC) Town Center that is consistent with the Town Center plan.

Waiver of Title: A *Title 18 Waiver* (18.12.160) intersection distance, waiver application to allow the reduction of the minimum distance requirements between streets will accompany this request. (as shown on submitted plans). Due to the sites configuration, product type, drainage patterns and existing developments surrounding this site, it was difficult not to design creating an off-set issue based on the existing streets. The proposed off-set intersection is a controlled intersection, meaning that we are planning on gating this community (see our request for a Special Use Permit).

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

REVISED
4-1-05

Special Use Permit/Waiver: Based on the Town Center (TC) criteria *(Residential Standards – G. Gated Communities)* for gated communities with private streets, it is necessary for Royal Construction to request for a Special Use Permit for these items to be reviewed by the City Council. Based on our proposed product (single family attached units) and the location of the existing site within TC (Campbell and Dorrell), we feel that this is an ideal location for a private gated community based on the surrounding approvals to the north and west, limiting development of our property. Because of the limited access to this parcel, we will also be requesting a waiver of the requirement for two activated gate entrances. *(Residential Standards – G. Gated Communities (2))* As we are not taking direct access from an arterial street and the constraints placed upon this site by the surrounding developments, it is necessary that we request this additional waiver. The site is a relatively small site and will have minor impacts with respect to traffic and we feel that due to the existing conditions the waiver request be approved.

Development Standards: All interior streets will be 37.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

R-PD (based on private/gated streets within TC) Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: .858 acres± (37,374 s.f.±)
Open Space Provided: .99 acres± (42,991 s.f.±)

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the Town Center community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No.: 64

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
SDR-6301 - SITE DEVELOPMENT PLAN REVIEW RELATED TO MOD-6295, ZON-6297, WVR-6310, AND SUP-6306 - PUBLIC HEARING - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C. - Request for a Site Development Plan Review FOR A PROPOSED 52 LOT SINGLE FAMILY ATTACHED RESIDENTIAL DEVELOPMENT on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road (APN 125-20-101-012), U (Undeveloped) Zone [TC (Town Center) General Plan Designation] [PROPOSED: T-C (Town Center) Zone] [PROPOSED: MLA-TC (Medium-Low Attached Density Residential – Town Center) Special Land Use Designation], Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
TRUESDELL – APPROVED subject to conditions – UNANIMOUS with McSWAIN abstaining because her company, Terra Contracting, is under contract with Pardee Homes and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 60 [MOD-6295] for related discussion on Item 60 [MOD-6295], Item 61 [ZON-6297], Item 62 [WVR-6310], Item 63 [SUP-6306] and Item 64 [SDR-6301].

(10:14 – 10:29)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 64 – SDR-6301

CONDITIONS:

Planning and Development

1. A Major Modification (MOD-6295) to an MLA-TC (Medium-Low Attached Density Residential – Town Center) designation and a Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.

2. A Waiver (WVR-6310) of Title 18 to allow a substandard intersection offset approved by the City Council.

3. A Special Use Permit (SUP-6306) to allow a gated community with private streets in Town Center, including a waiver to allow a single gated entrance, approved by the City Council.

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

5. All development shall be in conformance with the site plan and building elevations date stamped 04/04/05 and the parking plan date stamped 04/13/05, except as amended by conditions herein.

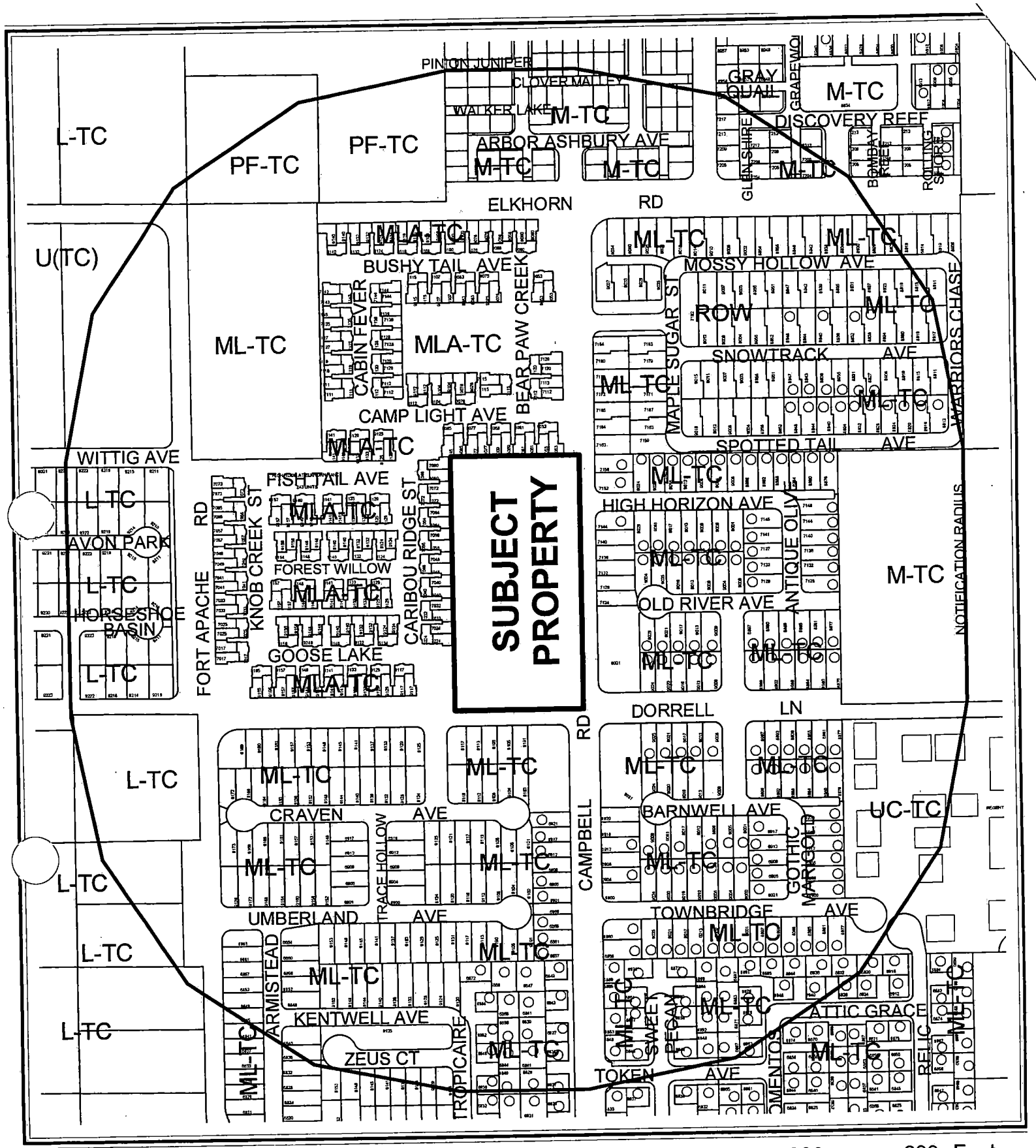
6. Nine parking spaces along the private street shall be striped and marked exclusively for guest parking. The homeowners association shall strictly enforce the guest parking requirement for these spaces.

7. The standards for this development shall include the following: minimum lot size of 1,540 square feet; minimum distance between buildings of 15 feet; maximum building height of two stories or 35 feet, whichever is less; minimum front yard setback (to dwelling) of five feet, with no more than 1.5-foot encroachments by patio covers; maximum rear yard setback (to garage) of six feet, with no more than two-foot encroachments by the buildings' second story; minimum side yard setback of either zero feet or no less than 3.5 feet; and minimum corner side yard setback of 3.5 feet.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show 36-inch box trees 30 feet on-center, alternating one flowering tree and one shade tree in the Campbell Road and Dorrell Lane Amenity Zones. Additional landscaping at the development entry shall be provided according to the Town Center Development Standards Manual.

CONDITIONS – Continued:

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



CASE: **SDR-6301**

RADIUS: 1000 FT

ZONING OF SUBJECT PROPERTY:

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

PROPOSED ZONING OF SUBJECT PROPERTY:

T-C (TOWN CENTER) ZONE [ML-TC (MEDIUM-LOW DENSITY RESIDENTIAL - TOWN CENTER) SPECIAL LAND USE DESIGNATION PROPOSED TO MLA-TC (MEDIUM-LOW ATTACHED RESIDENTIAL - TOWN CENTER)]

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6301 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. A Major Modification (MOD-6295) to an MLA-TC (Medium-Low Attached Density Residential – Town Center) designation and a Rezoning (ZON-6297) to a T-C (Town Center) Zoning District approved by the City Council.

2. A Waiver (WVR-6310) of Title 18 to allow a substandard intersection offset approved by the City Council.

3. A Special Use Permit (SUP-6306) to allow a gated community with private streets in Town Center, including a waiver to allow a single gated entrance, approved by the City Council.

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

5. All development shall be in conformance with the site plan and building elevations date stamped 04/04/05 and the parking plan date stamped 04/13/05, except as amended by conditions herein.

6. Nine parking spaces along the private street shall be striped and marked exclusively for guest parking. The homeowners association shall strictly enforce the guest parking requirement for these spaces.

7. The standards for this development shall include the following: minimum lot size of 1,540 square feet; minimum distance between buildings of 15 feet; maximum building height of two stories or 35 feet, whichever is less; minimum front yard setback (to dwelling) of five feet, with no more than 1.5-foot encroachments by patio covers; maximum rear yard setback (to garage) of six feet, with no more than two-foot encroachments by the buildings' second story; minimum side yard setback of either zero feet or no less than 3.5 feet; and minimum corner side yard setback of 3.5 feet.

8. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to show 36-inch box trees 30 feet on-center, alternating one flowering tree and one shade tree in the Campbell Road and Dorrell Lane Amenity Zones. Additional landscaping at the development entry shall be provided according to the Town Center Development Standards Manual.

SS

9. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.

10. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

11. Any interior property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Perimeter walls shall be constructed to Town Center Development Standards. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

13. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The Design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.

14. All City Code Requirements and all City Department design standards shall be met, other than those waived through this and companion applications.

Public Works

15. 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.

16. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6297, SUP-6306 and all other applicable site-related actions.

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

SS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed 52-lot single family attached residential development on 5.07 acres adjacent to the northwest corner of Dorrell Lane and Campbell Road.

B) Applicant's Justification

According to the applicant's justification letter, the developer has a product that is architecturally compatible with and suited for Town Center at this location. This product has been previously approved and developed in the city. Based on the type of product, the developer feels this is an ideal location for a private gated community based on the approvals of developments to the north and west. The site meets open space requirements.

BACKGROUND INFORMATION

A) Related Actions

02/05/03 The City Council approved a petition to annex approximately 495 acres of property located in various parts of the city, including the subject site, under the provisions of NRS 268.597 No. 1(b). The Planning Commission and staff recommended approval.

05/26/05 The Planning Commission will consider companion items for a Major Modification (MOD-6295) of the Town Center Land Use Map to change the land use designation from ML-TC (Medium-Low Density Residential – Town Center) to MLA-TC (Medium-Low Attached Density Residential – Town Center), a Rezoning (ZON-6297) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center), a Waiver (WVR-6310) of Title 18.12.160 to allow approximately 177 feet and 208 feet between street intersections where 220 feet is the minimum distance separation required, and a Special Use Permit (SUP-6306) for a proposed gated community with private streets and a waiver of Town Center Development Standards to allow a single gated entrance where a minimum of two gated entrances is required on the subject site.

B) Pre-Application Meeting

03/03/05 The applicant was advised to apply for a Major Modification of the Town Center Land Use Map to change the land use designation to accommodate a higher density development, as well as applying for a Rezoning to Town Center zoning and a Special Use Permit for a gated community with private streets. A Title 18 Waiver for the intersection offset will be necessary given the current design. A roundabout is planned for Campbell Road at Dorrell Lane; this should be worked into the design. A neighborhood meeting is required for the Major Modification, as it is similar to a General Plan land use change. This meeting should be held at least 30 days prior to the Planning Commission meeting.

C) Neighborhood Meetings

03/28/05 Four interested persons were in attendance. Concerns raised were the proposed gated entry and possible access to Campbell Road. No one was in opposition to the proposed development.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 5.07

B) Existing Land Use

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

C) Planned Land Use

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

D) Existing Zoning

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

SS

E) General Plan Compliance

The subject site is located within the Town Center Plan Area of the Centennial Hills Sector Plan of the General Plan. It is designated TC (Town Center) by the Centennial Hills Interlocal Land Use Plan. The subject site is proposed to be rezoned to T-C (Town Center) to comply with this land use designation. The Town Center Land Use Map currently designates the subject site ML-TC (Medium-Low Density Residential - Town Center), which allows a density range of 5.6 to 8.0 dwelling units per gross acre. A Major Modification of this map to MLA-TC (Medium-Low Attached Density Residential) will allow for densities up to 12 units per acre on the site. The proposed site plan proposes a gross density of 10.3 units per acre, which would conform to the Town Center Land Use Map, assuming approval of the Major Modification.

PROJECT DESCRIPTION

The site plan depicts a single-family residential attached development with a total of 52 lots. A single gated access from Dorrell Lane is indicated on the south side of the site. All lots will be accessed from 24-foot private drives taking their access from one 37-foot wide private street with a six-foot wide sidewalk and amenity zone along the west side of the street. This street terminates in a cul-de-sac in accordance with Title 18 requirements. Guest parking is available along the west side of the private street. Setbacks requested through this review are six feet to the garage door (rear), five feet to the dwelling, either zero feet or 3.5 feet on side yards, and 3.5 feet on corner side yards.

Open space is indicated along the edges of the development. The required 7.5-foot amenity zones along Campbell Road and Dorrell Lane are provided per the Town Center Development Standards Manual.

Elevations indicate two-story duplex and four-plex models with living areas on the second level over rear-facing two-car garages. Dwelling units range in size from 1,700 square feet to 1,821 square feet.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Section E of the Town Center Development Standards Manual establishes standards for residential development with respect to site design, circulation, elevations, walls, landscaping, and gated communities. Other development standards that are proposed for this site through this Site Development Plan are as follows:

Proposed Standards	
Min. Lot Size	1,540 Square Feet
Min. Lot Width	23 Feet
Min. Setbacks • Front (to dwelling) • Side • Corner • Rear (to garage)	 5 Feet, w/ max. 1.5-foot encroachment 0 or 3.5 Feet 3.5 Feet 6 Feet, w/ max. 2-foot encroachment
Min. Distance Between Buildings	15 Feet
Max. Building Height	2 Stories / 35 Feet

The front yard setback of five feet is proposed to include a 1.5-foot encroachment for a patio cover that extends out from the dwelling. The rear yard setback of six feet includes up to a two-foot extension of the second floor that cantilevers out over the garage. There is a concern that residents will attempt to park parallel to the garage in a space greater than six feet; however, the applicant indicates that in construction of the unit there may be a slight error in measurement that would result in the building being closer to the lot line than permitted without fire retardant construction on the exterior.

A2) Residential Adjacency Standards

Residential Adjacency Standards do not apply to the subject development.

A3) Parking and Traffic Standards

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

Uses	Units	**Required**			**Provided**	
		Ratio	Parking		Parking	
			Regular	Handicap	Regular	Handicap
Single-Family Residential, Attached	52	2 spaces per dwelling unit + 1 guest space per 6 dwelling units	104 + 9 guest spaces	N/A	104 + 19 guest spaces	N/A

The Zoning Code requires the provision of two on-site parking spaces per dwelling unit, plus one guest space for every six attached dwelling units. The applicant provides two-car garages for each unit and parallel parking for guests along the private street. While the Town Center Development Standards Manual does not expressly prohibit counting spaces along private streets toward the on-site parking requirements, staff discourages such an arrangement because it resembles off-site parking and those residents with more than two vehicles may use the spaces to park those vehicles rather than reserving them for guests.

SS

A4) Landscape and Open Space Standards

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

Standards	Amenity Zone	**Required**		**Provided**
		Ratio	Trees	
Campbell Road (TC Residential Collector)	7.5 feet	36-inch box trees 30 feet on-center, alternating one flowering tree and one shade tree	11 shade, 10 flowering	10 Chitalpa 10 Texas Honey Mesquite
Dorrell Lane (TC Residential Collector)	7.5 feet	36-inch box trees 30 feet on-center, alternating one flowering tree and one shade tree	4 shade, 3 flowering	4 Chitalpa 3 Texas Honey Mesquite
Interior Public Residential Streets	N/A	Not required (private street)	N/A	40 total
Subdivision Entry	See Figure 33 in TC Standards	Two 36-inch box accent trees at intersection	4	4 Mexican Fan Palms

Amenity zones are included along Campbell Road and Dorrell Lane. According to the Town Center Development Standards Manual, Chitalpa is to be used as an accent tree at the entrance to the subdivision, while Rio Grande Ash is suitable as a shade tree; Honey Mesquite is an acceptable flowering tree. As the interior streets are private, no additional landscaping is required. A condition of approval will ensure compliance with the Town Center Development Standards.

Pursuant to the Town Center Development Standards Manual Section E.G., the following Open Space Standards apply to the subject proposal:

Total Acreage	Density	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
5.07 acres	10.3 du/ac	1.65	17.0 %	37,533 SF or 0.86 acres	19.5 %	42,991 SF or 0.99 acres

SS

Private gated communities in Town Center are subject to the open space requirements of Title 19.06.040. The proposed gated development provides sufficient open space to meet these standards.

The minimum 20 percent open space requirement in Title 19.06.110 does not apply to residential zoning classifications within Town Center.

B) General Analysis and Discussion

- Zoning

The subject site is currently zoned U (Undeveloped) with a TC (Town Center) General Plan Designation. The development as proposed requires a Rezoning (submitted as ZON-6297) to T-C (Town Center) and a Major Modification (MOD-6295) of the Town Center Land Use Map to change the land use designation from ML-TC (Medium-Low Residential – Town Center) to MLA-TC (Medium-Low Attached Residential – Town Center). Because private streets are proposed in the Town Center area, where they are discouraged, approval of a Special Use Permit (SUP-6306) is also required.

- Site Plan

Public streets are encouraged everywhere within the Town Center area, and the Town Center Development Standards are geared toward developments that include public streets. The subject development proposes a gated 37-foot private street with 24-foot private drives. For this reason, denial is recommended for the Site Development Plan Review. Guest parking is not dispersed evenly throughout the development, making it less convenient to access some lots. To ensure that the required amount of parking is dedicated exclusively for guests, an "if approved" condition will require that at least nine parking spaces along the private street be clearly striped and marked as guest spaces. The homeowners association will be required to strictly enforce the parking requirements. Perimeter walls shall be designed according to Town Center Residential Development Standards.

- Waivers

No waivers are requested as part of this Site Development Plan Review application. An accompanying application for a Waiver (WVR-4754) of Title 18 requirements has been submitted to reduce the required separation between street intersections. Staff has no objection to this request.

SS

- Landscape Plan

  The site meets Title 19 open space requirements; however, the open space is merely a strip of unused land around the perimeter as opposed to a centralized park area, which is preferable. The intent of the streetscape designs of Town Center has been achieved, but special attention should be paid to tree species and placement, as specific standards are required by the Town Center Development Standards Manual. The landscape plan should be revised for submittal at the time of permits in conformance with conditions of approval.

- Elevation

  All dwellings are proposed to have stucco exteriors with stone veneer accents and concrete tile roofs. Garages are located in the rear along the private drives.

- Floor Plan

  Duplex and four-plex building plans are proposed. Units are each two stories in height and range in size from 1,700 square feet to 1,821 square feet. Each unit features a two-car attached garage and covered porch area with a gate.

FINDINGS

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

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

   The proposed development is compatible with adjacent development in terms of density. However, the provision of private streets within the Town Center area is highly discouraged, as the intent is to create an inviting neotraditional walkable environment. Houses should face each other on public residential streets. For this reason it is recommended that this application and the accompanying Special Use Permit application be denied.

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

With approval of a Major Modification (MOD-6295) to change the land use designation to MLA-TC (Medium-Low Attached Density Residential – Town Center), a Rezoning (ZON-6297) to T-C (Town Center), a Waiver (WVR-6310) of Title 18 standards, a Special Use Permit (SUP-6306) for a gated community with a single access and implementation of all conditions of approval, the proposed residential development will be consistent with the General Plan, Title 19 and the Town Center Development Standards Manual.

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

Access to the site will be provided from Dorrell Lane, an 80-foot wide Town Center Residential Collector. The intersection created by the private entry street is less than the required 225 feet from another intersection; however, it should have minimal impact on traffic in the area. Internal circulation is to be provided by one 37-foot wide private street with several 24-foot private drives. A turnaround is provided at the end of the private street, and guest parking is to be provided along the west side of this street.

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

The building materials are appropriate for the area. Landscaping will be appropriate for the area assuming compliance with Town Center Streetscaping Standards.

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

Each two-plex or four-plex building consists of attached single-family units that are two stories high. Each unit is provided with a two-car garage located beneath the second story, which cantilevers out over the garage by up to two feet. To the front of each unit is a patio with a roof that extends out approximately 1.5 feet beyond the front façade. The dwellings are not unsightly and are harmonious to development in the area.

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

The proposed development will be subject to inspection by the City and all of the requirements of building code and will therefore not compromise the health, safety and welfare of the general public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 5

NOTICES MAILED 317 [Mailed with MOD-6295, ZON-6297, SUP-6306, and WVR-6310]

APPROVALS 0

PROTESTS 0

SS

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6301** APN: 125-20-101-012

Name of Property Owner: PHD ASSETS LLC

Name of Applicant: ROYAL CONSTRUCTION

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

_____ Yes _____✓ No

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

City Official: _____

Partner(s): _____

APN: _____

Signature of Property Owner/Authorized Agent: _____

Print Name: Phillip H. Davis

Subscribed and sworn before me

This 25th day of February, 2005

_____

Notary Public in and for said County and State

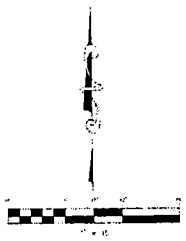
Revised 2/12/02

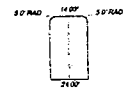
E\depot\Application Packet\Statement of Financial Interest.doc

JODIE LYNNE CRUM
Notary Public State of Nevada
No. 99-51690-1
My appt. exp. Feb. 17, 2007

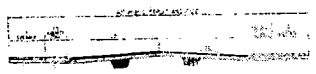
SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





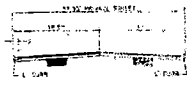
TYPICAL 24' PRIVATE DRIVE AISLE
NOT TO SCALE



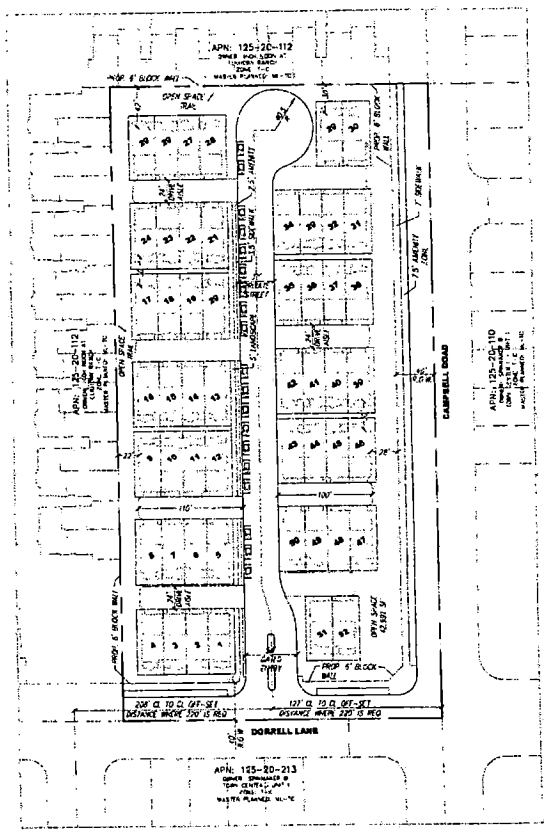
80' PUBLIC STREET HALF-SECTION
(CORNELL LANE, CAMPBELL ROAD)
NOT TO SCALE
FOR TYPICAL DETAILS, DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL DESIGNATION)

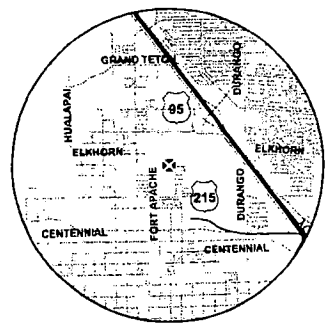


50' PUBLIC ENTRY SECTION
NOT TO SCALE
REF. TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE





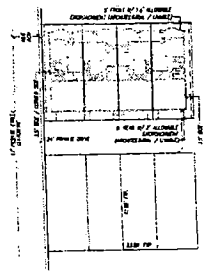
VICINITY MAP
NOT TO SCALE

DEVELOPER
ROYAL CONSTRUCTION
[illegible] W. CENTENNIAL AVE.
[illegible] #200
LAS VEGAS, NEVADA

OWNERS
[illegible]
[illegible] S. RAINBOW BLVD.
SUITE #222
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
[illegible]

OVERALL TABULATIONS
[illegible]



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SETBACKS
[illegible]

PREPARED BY:
ROYAL CONSTRUCTION
[illegible] W. CENTENNIAL AVE.
[illegible] #200
LAS VEGAS, NEVADA 89129
(702) 362-7373

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
6339 Hualapai Avenue / Las Vegas, NV 89130 (702) 364-2700 Fax: 702.364.0702

SITE PLAN TO ACCOMPANY
ZC / SDR / WAIVER

SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 2, 2005
DRAWN BY: R. DAVIS
DESIGNED BY: R. DAVIS
CHECKED BY: T. GRAVE
SCALE: 1" = 40'
PROJECT NO: RC-0007
ENGINEERING SEAL

SHEET 1 OF 1
SHEET NO.

RECEIVED
APR 13 2005

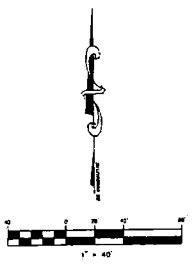
SDR-6301
4-28-05 PC

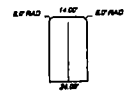
REVISED 4-1-2005

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

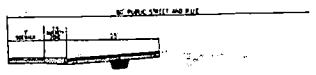
SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION





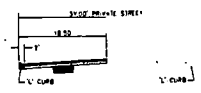
TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



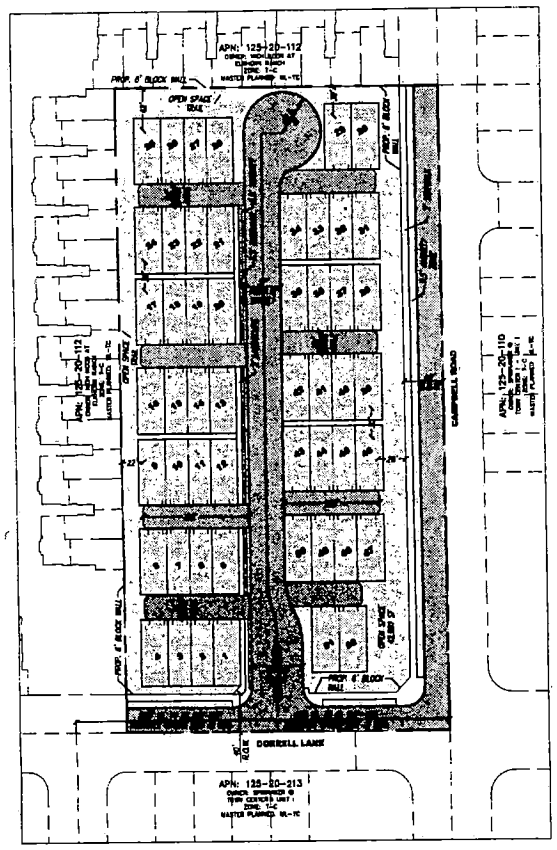
60' PUBLIC STREET HALF-SECTION
(CAMPBELL LANE, CAMPBELL ROAD)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL COLLECTOR)

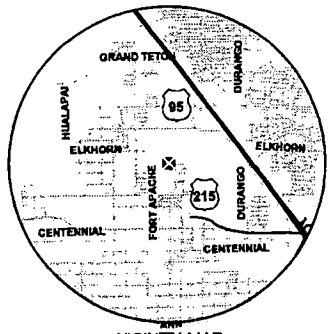


60' PUBLIC ENTRY SECTION
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE

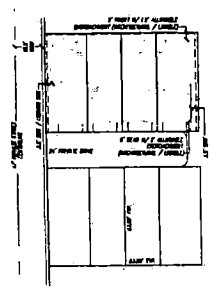
DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE.
SUITE #105
LAS VEGAS, NEVADA

OWNERS
PHD ASSETS LLC
3333 S. RAINBOW BLVD
SUITE #209
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

OVERALL TABULATIONS

EXISTING ZONING	UNDEVELOPED
PROPOSED ZONING	TC
EXISTING LAND USE	ML - TC
PROPOSED LAND USE	MLA - TC
# OF UNITS	52
GROSS ACREAGE	9.07 ACRES +/-
DENSITY	10.26
OPEN SPACE REQUIRED	0.86 AC (37,324 SF)
OPEN SPACE PROVIDED	0.89 AC (38,991 SF)



SETBACKS
FRONT - 5' W/ 1.5' ALLOWABLE ENCROACHMENT
REAR - 6' W/ 2' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

REVISED 4-1-2005

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

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE., SUITE #105
LAS VEGAS, NEVADA
(702) 873-7777

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7325 Hickam Avenue Las Vegas, NV 89129 Office: (702) 341-7701 Fax: (702) 341-7702

SHEET TITLE: SITE PLAN TO ACCOMPANY MM/ ZC / SDR / SUP/ WAIVER

SPINNAKER VILLAGE IV

CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 1st 2005
DRAWN BY: B. TAYLOR
DESIGNED BY: B. TAYLOR
CHECKED BY: B. BRUSE
SCALE: 1" = 40'
PROJECT NO. RC-0007
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO. 0007 PA SITE 3-9-05.DWG

SDR-6301
4-28-05 PC

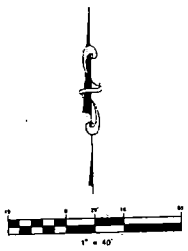
REVISED 4.4.05

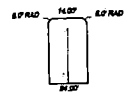
RECEIVED
APR 4 2005

F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:00:51 AM, hp psc 2200 series, 1:3.29101

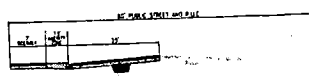
SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION

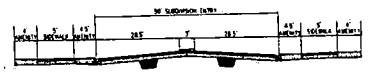




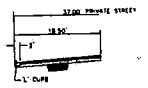
TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



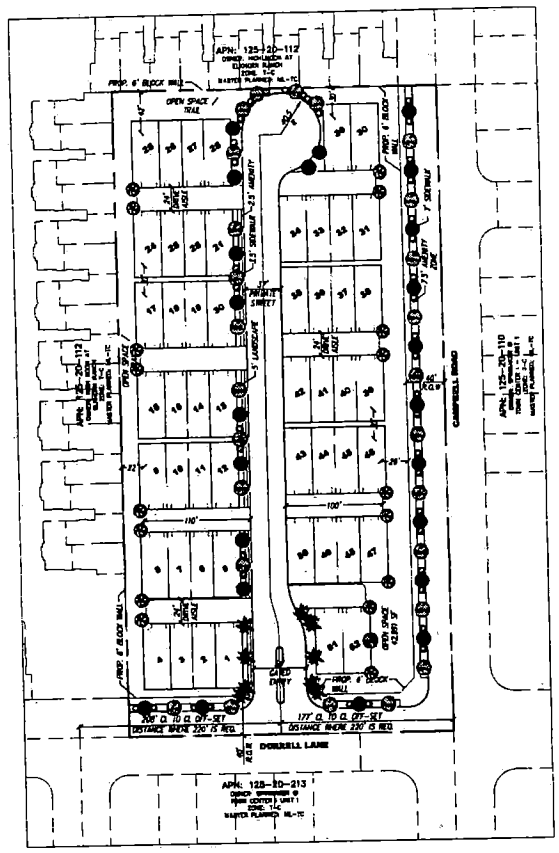
60' PUBLIC STREET HALF-SECTION
(DORRELL LANE CAMPBELL ROAD)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL COLLECTOR)

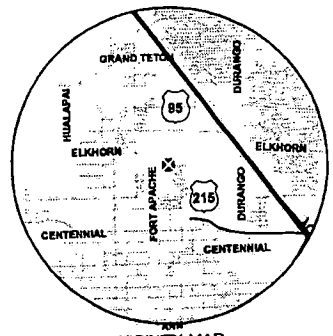


60' PUBLIC ENTRY SECTION
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE
SUITE #109
LAS VEGAS, NEVADA

OWNERS
PHD ASSETS LLC
3225 S. RAINBOW BLVD
SUITE #206
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

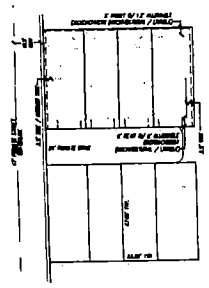
OVERALL TABULATIONS

EXISTING ZONING — UNDEVELOPED
PROPOSED ZONING — TC

EXISTING LAND USE — ML-TC
PROPOSED LAND USE — MLA-TC

OF UNITS — 37
GROSS ACREAGE — 3.07 ACRES +/-
DENSITY — 10.26

OPEN SPACE REQUIRED — 0.86 AC (37,374 SF)
OPEN SPACE PROVIDED — 0.99 AC (42,991 SF)



SETBACKS
FRONT - 5' W/ 1.5' ALLOWABLE ENCROACHMENT
REAR - 6' W/ 2' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SUGGESTED SHRUB LIST

SYMBOL	BOTANICAL/COMMON NAME
A	ACACIA REDOLENS - CREEPING ACACIA
	CASSIA ARTEMISIOIDES - FEATHERY CASSIA
	CALLIANDRA ERIOPHYLLA - FAIRY DUSTER
	CONVOLVULUS CNEORUM - BUSH MORNING GLORY
	DALEA GREGGII - INDIGO BUSH
	ENCELIA FARINOSA - BRITTLEBUSH
	HESPERALOE PARVIFLORA - RED YUCCA
	LANTANA MONTEVIDENSIS - TRAILING LANTANA
	LEUCOPHYLLUM LAEVICATUM - CHIHUAHUAN SAGE
	MUHLENBERGIA CAPILLARIS 'REGAL MIST' - REGAL MIST DEER GRASS
	ROSMARINUS OFFICINALIS - ROSEMARY
	SALVIA CLEVELANDII - CHAPARRAL SAGE
	SALVIA GREGGII - AUTUMN SAGE
	TECOMA CAPENSIS
	VERBENA RIGIDA - RIGID VERBENA

*ALL LANDSCAPING TO MEET OR EXCEED TOWN CENTER REQUIREMENTS.

TREE LEGEND

SYMBOL	BOTANICAL/COMMON NAME
	CHILOPSIS TASHKENTENSIS CHITALPA
	PROSOPIS GLANDULOSA 'WAVERLY' THORNLESS TEXAS HONEY MESQUITE
	QUERCUS VIRGINIANA 'HERITAGE' HERITAGE LIVE OAK
	WASHINGTON ROBUSTA HYBRID MEXICAN FAN PALM

REVISED 4-1-2005

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

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE, SUITE #109
LAS VEGAS, NEVADA
(702) 873-1771

PREPARED BY
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7525 Hillpark Avenue, Las Vegas, NV 89129 (Office: 702.384.7711 Fax: 702.384.1702)

SHEET: LANDSCAPE PLAN TO ACCOMPANY ZC / SDR / WAIVER

TITLE: SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 21, 2005
DRAWN BY: A TAYLOR
DESIGNED BY: B TAYLOR
CHECKED BY: B TAYLOR
SCALE: 1" = 40'
PROJECT NO: RC-0007
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO: 0007 PA SITE 3-11-05.DWG

F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:08:47 AM, hp psc 2200 series, 1:3.29106

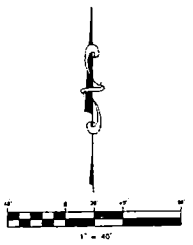
SDR-6301
4-28-05 PC

REVISED 4.4.05

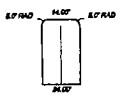
RECEIVED
APR 4 2005

SPINNAKER VILLAGE IV

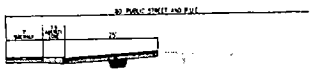
A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION



1" = 40'

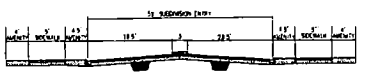


TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



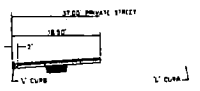
60' PUBLIC STREET HALF-SECTION
(CAMPBELL LANE, CAMPBELL ROAD)

NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL COLLECTOR)



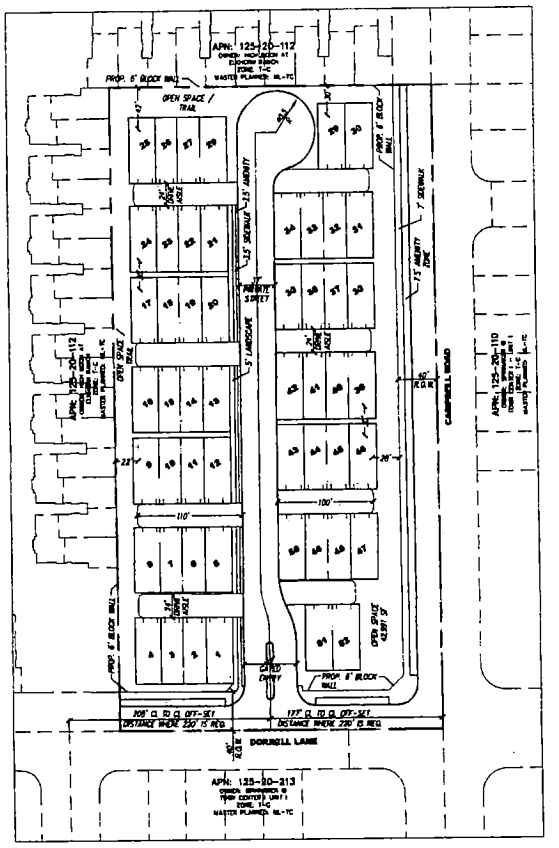
60' PUBLIC ENTRY SECTION

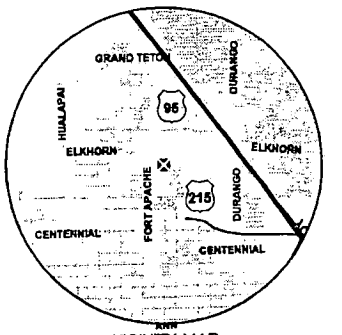
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)

NOT TO SCALE





VICINITY MAP
NOT TO SCALE

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE
SUITE #105
LAS VEGAS, NEVADA

OWNERS
PHD ASSETS LLC
3275 S. RAINBOW BLVD
SUITE #206
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

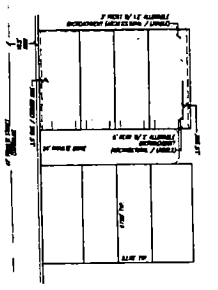
OVERALL TABULATIONS

EXISTING ZONING — UNDEVELOPED
PROPOSED ZONING — TC

EXISTING LAND USE — ML-TC
PROPOSED LAND USE — MLA-TC

OF UNITS — 59
GROSS ACREAGE — 5.07 ACRES +/-
DENSITY — 10.26

OPEN SPACE REQUIRED — 0.86 AC (37,374 SF)
OPEN SPACE PROVIDED — 0.99 AC (42,991 SF)



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SETBACKS
FRONT - 5' W/ 1.5' ALLOWABLE ENCROACHMENT
REAR - 6' W/ 2' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

REVISED 4-1-2005

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

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE. SUITE #105
LAS VEGAS, NEVADA
CONTACT: JIM ROYAL

CONSULTANTS
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7525 Hillpark Avenue Las Vegas, NV 89129 Office: 702.384.7701 Fax: 702.384.7702

SHEET TITLE
SITE PLAN TO ACCOMPANY ZC / SDR / WAIVER

SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 21, 2005
DRAWN BY: B TAYLOR
DESIGNED BY: B TAYLOR
CHECKED BY: R RUSE
SCALE: 1" = 40'
PROJECT NO: RC-0007
ENGINEERING SEAL

SHEET 1 OF 1
DRAWING NO: 0007 PA SITE 3-9-05.DWG

F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:00:43 AM, hp psc 2200 series, 1:3.29106

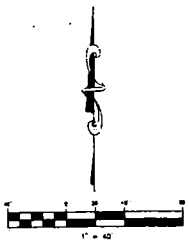
ZON-6297 WVR-6310
SUP-6306 SDR-6301

REVISED 4.4.05

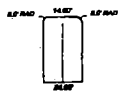
RECEIVED
APR 4 2005

SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION



1" = 40'



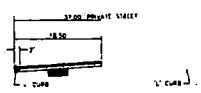
TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



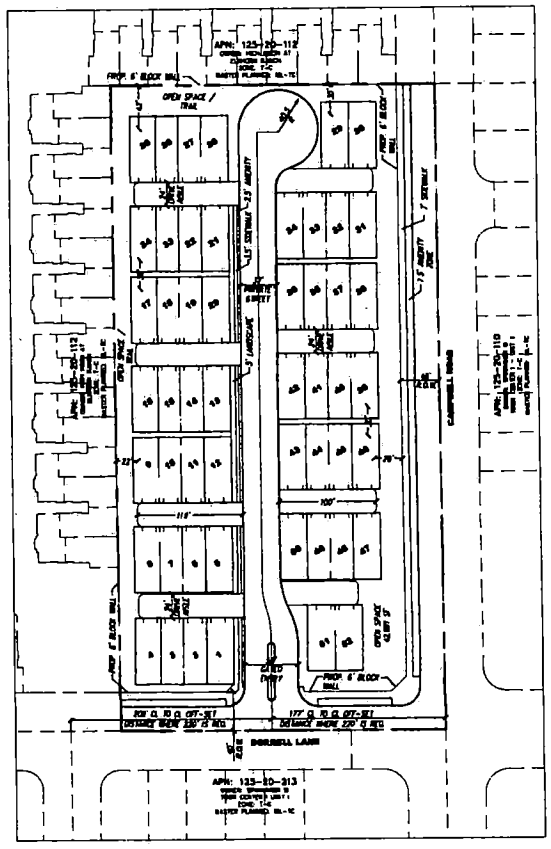
60' PUBLIC STREET HALF-SECTION
(CAMPBELL LANE, CAMPBELL ROAD)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TRAN CENTER RESIDENTIAL COLLECTOR)

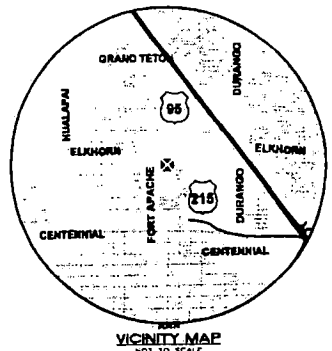


80' PUBLIC ENTRY SECTION
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE

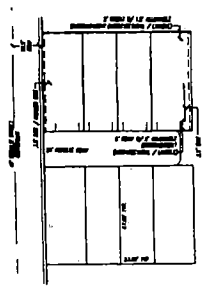
DEVELOPER
ROYAL CONSTRUCTION
4311 W CHEYENNE AVE
SUITE #109
LAS VEGAS, NEVADA

OWNERS
PHD ASSETS LLC
3235 S RAINBOW BLVD
SUITE #206
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

OVERALL TABULATIONS

EXISTING ZONING	UNDEVELOPED
PROPOSED ZONING	TC
EXISTING LAND USE	ML-TC
PROPOSED LAND USE	MLA-TC
# OF UNITS	52
GROSS ACREAGE	3.07 ACRES +/-
DENSITY	10.28
OPEN SPACE REQUIRED	0.66 AC (32,374 SF)
OPEN SPACE PROVIDED	0.89 AC (42,891 SF)



SETBACKS
FRONT - 5' W/ 15' ALLOWABLE ENCRAACHMENT
REAR - 6' W/ 2' ALLOWABLE ENCRAACHMENT
SIDE - 3.5'

TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

REVISED 4-1-2005

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

ZON-6297 WVR-6310
SUP-6306 SDR-6301
04/28/05 PC

REVISED 4.4.05

RECEIVED
APR 4 2005

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE. - SUITE #109
LAS VEGAS, NEVADA
(702) 873-7711

TITLE
SITE PLAN TO ACCOMPANY ZC / SDR / WAIVER

SHEET TITLE
SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

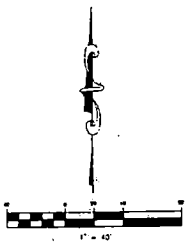
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
1323 N. Stephanie Street, Suite 107, Henderson, NV 89014 (702) 384-7703 Fax: 702-384-7702

DATE	FEBRUARY 21, 2005
DRAWN BY	B. TAYLOR
DESIGNED BY	B. TAYLOR
CHECKED BY	R. SHUE
SCALE	1" = 40'
PROJECT NO	RC-0007
ENGINEERING SEAL	
SHEET	1 OF 1
DRAWING NO	

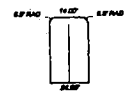
F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:00:43 AM, hp psc 2200 series, 1:3.29106

SPINNAKER VILLAGE IV

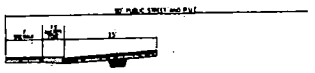
A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION



1" = 40'



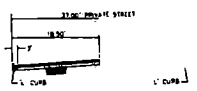
TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



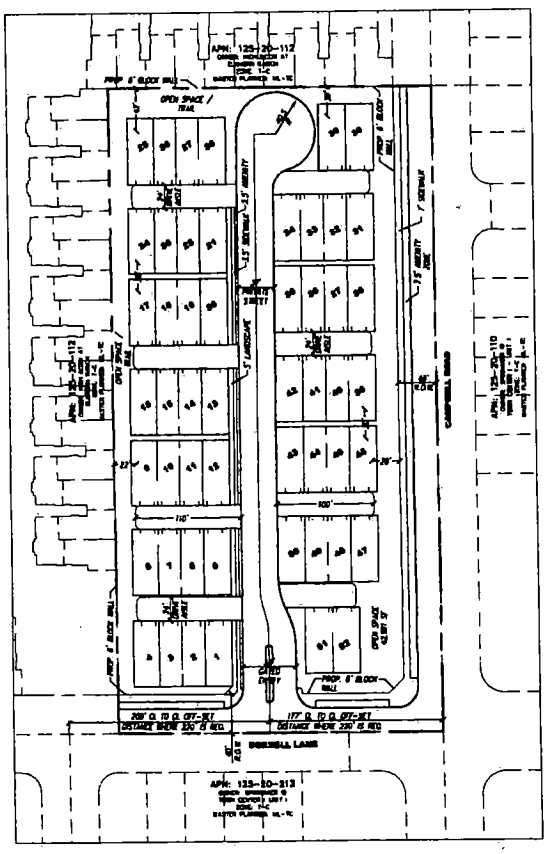
60' PUBLIC STREET HALF-SECTION
(DURRELL LANE, CAMPBELL ROAD)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL COLLECTOR)

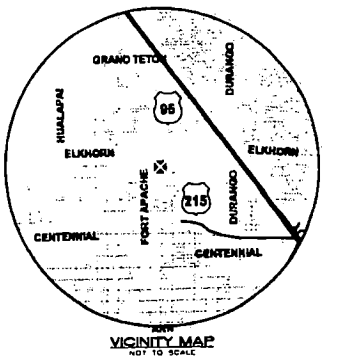


60' PUBLIC ENTRY SECTION
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE





VICINITY MAP
NOT TO SCALE

DEVELOPER
ROYAL CONSTRUCTION
4311 W CHEYENNE AVE
SUITE #185
LAS VEGAS, NEVADA

OWNERS
PNO ASSETS LLC
3275 S RAINBOW BLVD
SUITE #206
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

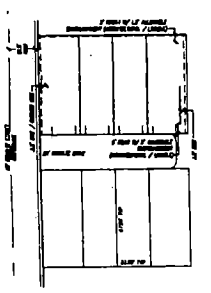
OVERALL TABULATIONS

EXISTING ZONING — UNDEVELOPED
PROPOSED ZONING — TC

EXISTING LAND USE — ML-TC
PROPOSED LAND USE — MLA-TC

OF UNITS — 52
GROSS ACREAGE — 5.07 ACRES +/-
DENSITY — 10.26

OPEN SPACE REQUIRED — 0.86 AC (37,374 SF)
OPEN SPACE PROVIDED — 0.99 AC (42,991 SF)



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SETBACKS
FRONT - 5' W/ 1.5' ALLOWABLE ENCROACHMENT
REAR - 6' W/ 2' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

REVISED 4-1-2005

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

ZON-6297 WVR-6310
SUP-6306 SDR-6301
04/28/05 PC

REVISED
4.4.05

RECEIVED
APR 4 2005

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE., SUITE #185
LAS VEGAS, NEVADA
(702) 873-7773

RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7325 Hickam Avenue Las Vegas, NV 89129 Office 702.384.7701 Fax 702.384.7702

SHEET: SITE PLAN TO ACCOMPANY ZC / SDR / WAIVER

TITLE: SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

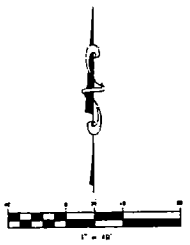
DATE: FEBRUARY 11 2005
DRAWN BY: B SAYLOR
DESIGNED BY: B SAYLOR
CHECKED BY: P BRUSE
SCALE: 1" = 40'
PROJECT NO: RC-0007
ENGINEERING SEAL

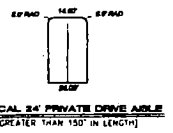
SHEET 1 OF 1
DRAWING NO
(CORP PA SITE 3-11-05.DWG)

F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:00:43 AM, hp psc 2200 series, 1:3.29106

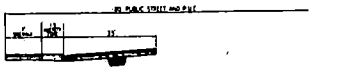
SPINNAKER VILLAGE IV

A SINGLE FAMILY RESIDENTIAL DEVELOPMENT BY ROYAL CONSTRUCTION

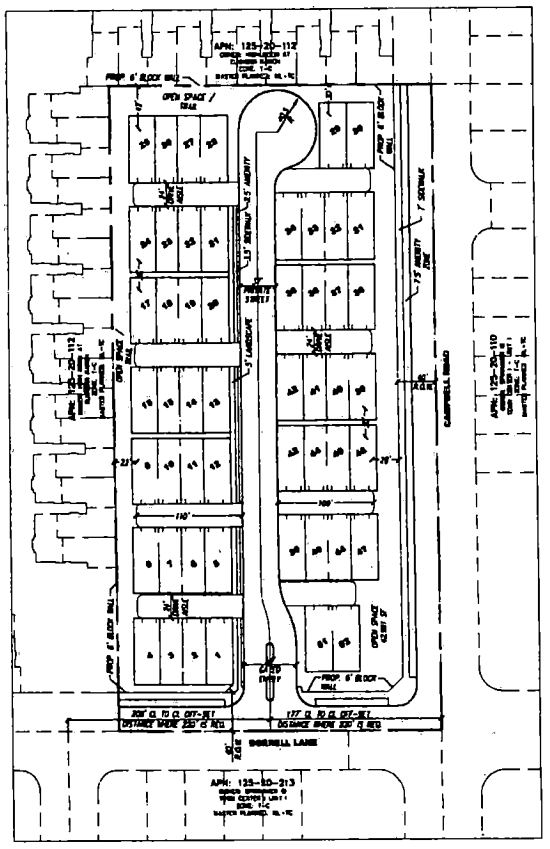


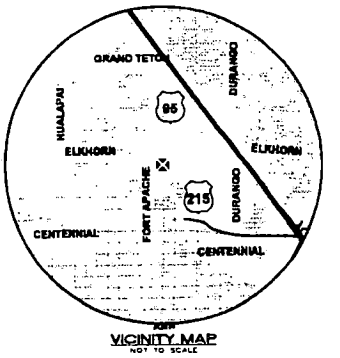


TYPICAL 24' PRIVATE DRIVE AISLE
(NOT GREATER THAN 150' IN LENGTH)



80' PUBLIC STREET HALF-SECTION
(DURRELL LANE, CAMPBELL ROAD)
NOT TO SCALE
PER TOWN CENTER DEVELOPMENT STANDARDS
(TOWN CENTER RESIDENTIAL COLLECTOR)

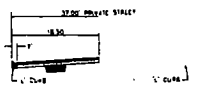




VICINITY MAP
NOT TO SCALE



80' PUBLIC ENTRY SECTION
NOT TO SCALE
PER TOWN CENTER & CITY OF LAS VEGAS
DEVELOPMENT STANDARDS



37' PRIVATE STREET SECTION (INTERIOR)
NOT TO SCALE

DEVELOPER
ROYAL CONSTRUCTION
4311 W CHEYENNE AVE
SUITE #105
LAS VEGAS, NEVADA

OWNERS
PHD ASSETS LLC
3225 S RAINBOW BLVD
SUITE #206
LAS VEGAS, NEVADA 89146

ASSESSORS PARCEL NUMBER:
125-20-101-012

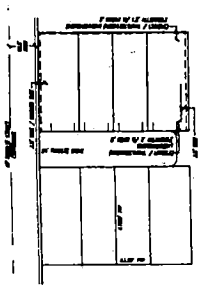
OVERALL TABULATIONS

EXISTING ZONING ——— UNDEVELOPED
PROPOSED ZONING ——— TC

EXISTING LAND USE ——— ML-TC
PROPOSED LAND USE ——— MLA-TC

OF UNITS ——— 57
GROSS ACREAGE ——— 5.07 ACRES +/-
DENSITY ——— 10.28

OPEN SPACE REQUIRED — 0.86 AC (37,374 SF)
OPEN SPACE PROVIDED — 0.99 AC (42,931 SF)



TYPICAL DEVELOPMENT STANDARDS DETAIL
NO SCALE

SETBACKS
FRONT - 5' W/ 1.5 ALLOWABLE ENCROACHMENT
REAR - 6' W/ 3' ALLOWABLE ENCROACHMENT
SIDE - 3.5'

REVISED 4-1-2005

ZON-6297 WVR-6310
SUP-6306 SDR-6301
04/28/05 PC

NOTE: THIS PLAN WAS PREPARED USING RECORD INFORMATION. IT IS ILLUSTRATIVE AND IS TO BE USED FOR GENERAL INFORMATION ONLY. NO LIABILITY IS ASSUMED

REVISED
4.4.05

RECEIVED
APR 4 2005

DEVELOPER
ROYAL CONSTRUCTION
4311 W. CHEYENNE AVE., SUITE #105
LAS VEGAS, NEVADA
(702) 873-7773

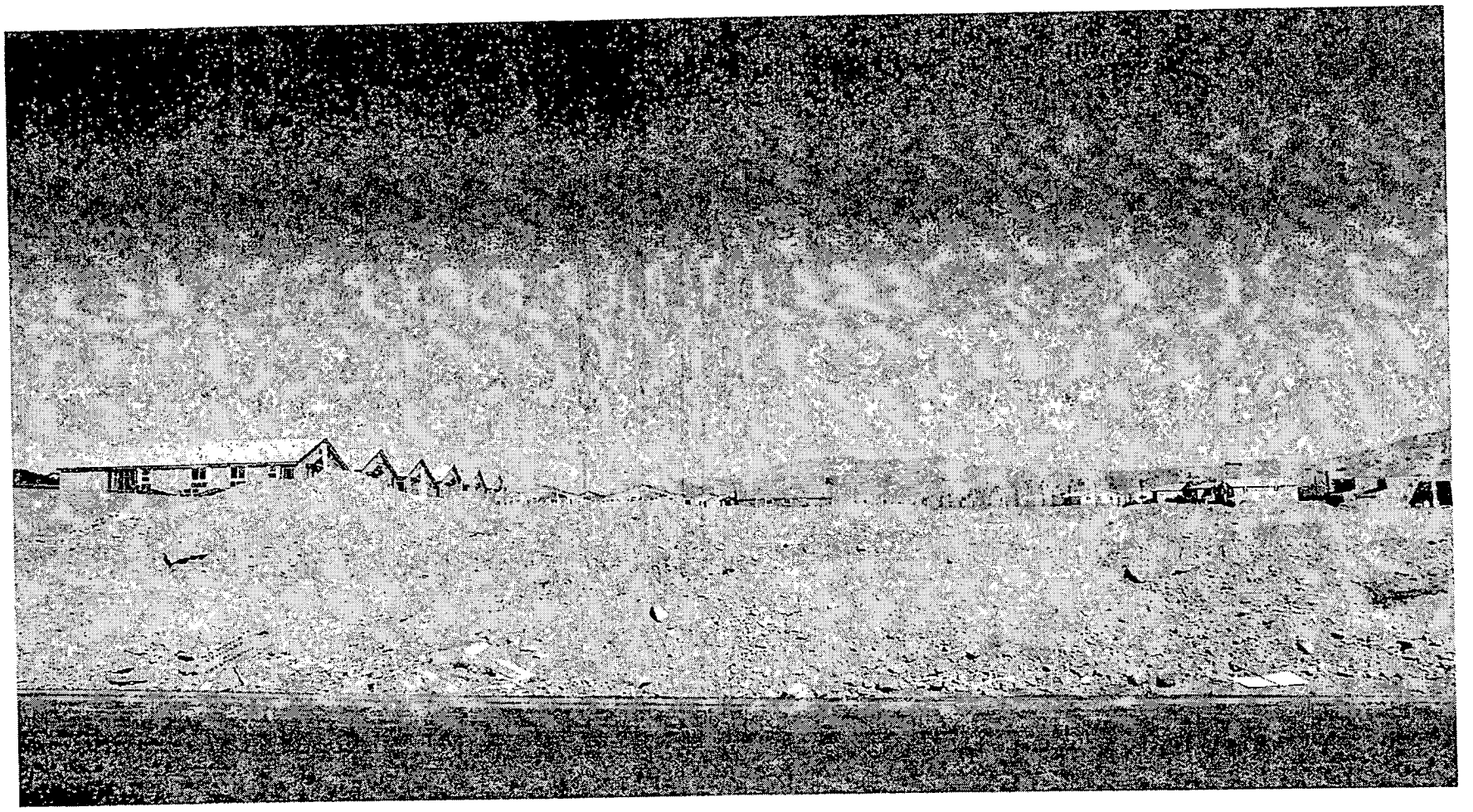
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS
7535 Hinson Avenue Las Vegas, NV 89129 Office: (702) 341-7700 Fax: 702.384.7722

SHEET: SITE PLAN TO ACCOMPANY ZC / SDR / WAIVER
TITLE: SPINNAKER VILLAGE IV
CITY OF LAS VEGAS, NEVADA

DATE: FEBRUARY 21, 2005
DRAWN BY: B TAYLOR
DESIGNED BY: B TAYLOR
CHECKED BY: A SHUE
SCALE: 1" = 40'
PROJECT NO: RC-0007
ENGINEERING SEAL

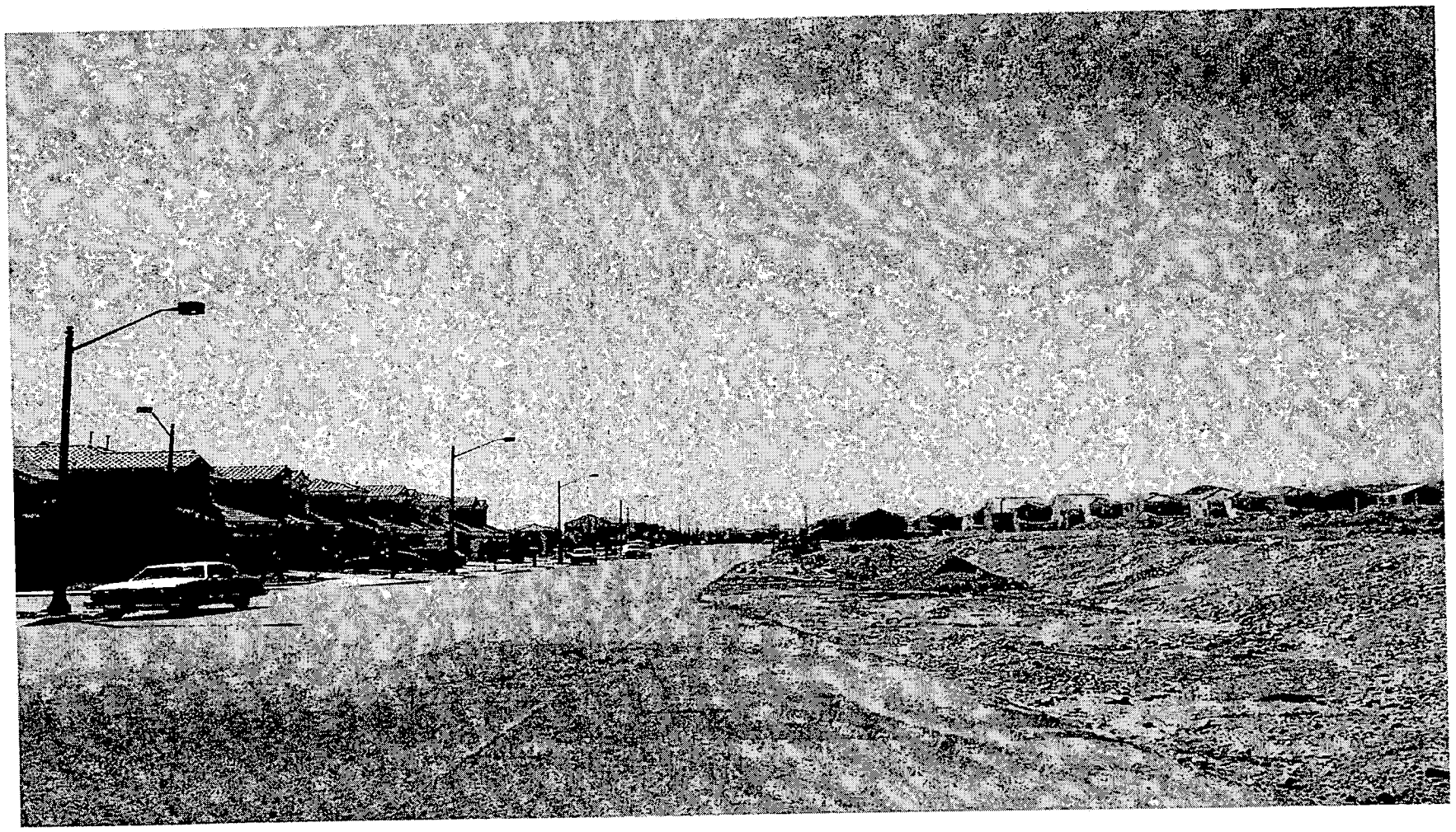
SHEET 1 OF 1
DRAWING NO.

F:\RS Consulting\Projects\Royal Construction\RC-0007\Planning\0007 SITE 3-11-05.DWG, 4/1/2005 11:00:43 AM, hp psc 2200 series, 1:3.29106



MOD-6295, ZON-6297, WVR-6310, SUP-6306 & SDR-6301 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.
NORTHWEST CORNER OF DORRELL LANE AND CAMPBELL ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/30/05



MOD-6295, ZON-6297, WVR-6310, SUP-6306 & SDR-6301 - APPLICANT: ROYAL CONSTRUCTION - OWNER: PHD ASSETS, L.L.C.
NORTHWEST CORNER OF DORRELL LANE AND CAMPBELL ROAD
APRIL 28, 2005 PLANNING COMMISSION

3/30/05

ZND-6295
ZON-6297
SUP-6506
SDR-6301
WVR-6360

LAS VEGAS NEVADA
RS CONSULTING, INC.
STRATEGIC PLANNING SOLUTIONS

March 31, 2005 ***"Revised"***

City of Las Vegas
Planning & Development
731 S. Fourth Street
Las Vegas, NV 89101

Attention: Gary Leobold, Planning Supervisor

Reference: **Spinnaker Village IV Major Modification, Rezoning, Site Development Plan Review, Special Use Permit/Waiver and Waiver of Title 18 for APN # 125-20-101-012**

On behalf of Royal Construction we respectfully request your consideration of the attached Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver applications.

Location: The proposed 5.0 acre± site is located on the northwest corner of Campbell Road and Dorrell Lane within Town Center (TC) located in Centennial Hills.

Request: At this time, Royal Construction is requesting the consideration of a Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver for a 52 unit single family attached residential development on 5.0 acres± (125-20-101-012) with a proposed density of 10.4 ± dwelling units per acre (DUA). Royal Construction has developed the adjacent three corners of this intersection within TC (known as Spinnaker at Town Center). This will not have a negative impact on the overall development of Town Center as our proposed plan is to integrate our trails and connectivity into the Town Center concept and the surrounding community.

Background/Justification: The parcel in question is currently zoned (U) undeveloped and master planned (ML-TC) Medium Low. The adjacent property to the north and west is currently zoned (T-C) and master planned (MLA-TC) Medium Low Attached, south and east is currently zoned (T-C) and master planned (ML-TC) Medium Low. Initially, the adjacent property to the north and west was planned for ML-TC and has been modified or a general plan amendment was recently approved to MLA-TC allowing up to 8.1 to 12 du/ac. In reviewing the overall development of the surrounding community, you will see that this parcel has been left with no parcel connections from the surrounding properties. We have become a stand alone 5 acre property at the intersection of Campbell and Dorrell with little opportunity for creative development possibilities. What we are proposing for this property is a very attractive single family residential attached, for sale development. This product has approvals and is being developed in other areas of the City. Royal Construction has a product that is architecturally compatible and is suited for Town Center at this location and we respectfully request your approvals for the Major Modification, Rezoning, Site Development Plan Review, Special Use Permit and Waiver.

Major Modification/Zone Change: Our request at this time is for a Major Modification to the Town Center Plan from ML-TC to MLA-TC which will allow us the flexibility with the product we are proposing for this site. Additionally, we are requesting a zone change from (U) Undeveloped to (TC) Town Center that is consistent with the Town Center plan.

Waiver of Title: A *Title 18 Waiver* (18.12.160) intersection distance, waiver application to allow the reduction of the minimum distance requirements between streets will accompany this request. (as shown on submitted plans). Due to the sites configuration, product type, drainage patterns and existing developments surrounding this site, it was difficult not to design creating an off-set issue based on the existing streets. The proposed off-set intersection is a controlled intersection, meaning that we are planning on gating this community (see our request for a Special Use Permit).

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

REVISED
4-1-05

Special Use Permit/Waiver: Based on the Town Center (TC) criteria *(Residential Standards – G. Gated Communities)* for gated communities with private streets, it is necessary for Royal Construction to request for a Special Use Permit for these items to be reviewed by the City Council. Based on our proposed product (single family attached units) and the location of the existing site within TC (Campbell and Dorrell), we feel that this is an ideal location for a private gated community based on the surrounding approvals to the north and west, limiting development of our property. Because of the limited access to this parcel, we will also be requesting a waiver of the requirement for two activated gate entrances. *(Residential Standards – G. Gated Communities (2))* As we are not taking direct access from an arterial street and the constraints placed upon this site by the surrounding developments, it is necessary that we request this additional waiver. The site is a relatively small site and will have minor impacts with respect to traffic and we feel that due to the existing conditions the waiver request be approved.

Development Standards: All interior streets will be 37.0' privately maintained rights of way. Typical private drive isles are being shown as 24.0' not to exceed 150' in length. Also please note that we have discussed the proposed courts and attached units with the City of Las Vegas Fire engineer and it was determined that we will be required to sprinkle these units. The product intended for this proposed site will be 2-story single family attached 4-plex residences, and range in size from 1,700 s.f. to 1,821 s.f.

The following minimum setbacks are being requested: (See also Typical Lot detail on plans)

Front – 5' with a 1.5' allowable encroachment both architectural/livable (faces open space)
Rear – 6' with a 2' allowable encroachment both architectural/livable (garage/private drive)
Side/Corner side 3.5

R-PD (based on private/gated streets within TC) Open Space requirements have been met by utilizing a trail system along the boundaries of the site and open space amenity areas throughout the development.

Open Space Required: .858 acres± (37,374 s.f.±)
Open Space Provided: .99 acres± (42,991 s.f.±)

We believe that the single family attached product on this parcel is compatible with the existing residential community planned for this area and will be an enhancement to the Town Center community. Please place this request on the April 28, 2005 Planning Commission agenda. If you have any questions, please feel free to contact me at (702) 384-7701 (office) or (702) 580-1146 (cellular).

Sincerely,
RS Consulting, Inc

Russell J. Skuse
President

Cc: Royal Construction Co, Steve Aizenberg

RS CONSULTING, INC.
7525 HICKAM AVENUE - LAS VEGAS NEVADA 89129
702.384.7701 (Office) 702.384.7702 (Fax)
rsconsulting-inc@cox.net

City of Las Vegas

Agenda Item No.: 65

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
ZON-6274 - REZONING - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE) on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

GARY LEOBOLD, Planning and Development, gave a brief overview of the applications. The proposed lots range from 4,512 to 7,120 square feet and will be served by a private, 40-foot wide internal street network. Staff recommended denial primarily on the basis of the variance. R-PD is mandated to be five acres or larger and the subject site is 1.79 acres, which is significantly below the established threshold.

MINUTES – Continued:

RUSSELL SKUSE, 7525 Hickham Avenue, appeared on behalf of the applicant and concurred with all conditions. The site is very difficult to develop due to location and surrounding developments and elements. MR. SKUSE indicated he was just brought into this project two days earlier and had not had the chance to speak with the Fire Department or Traffic Engineering to discuss the reasons for the waiver on the 150-foot street length. The street is actually over 150 feet and there is an intersection in it so he was not sure about the acceptability by the Fire Department for a three-point turn. He assured the Commission he would discuss the issue with the Fire Department and work with them to resolve any concerns.

COMMISSIONER McSWAIN asked if the applicant for the property to the west was before the Commission during the 4/14/2005 meeting requesting a Variance for a wall. MR. LEOBOLD confirmed she was correct and he had asked to bring the six-foot high perimeter walls to the front property line in anticipation of this proposed project being approved. COMMISSIONER McSWAIN stated that she had voted for that gentleman's application because she thought this project was already approved. She then confirmed with MR. LEOBOLD that R-1 lots have to be a minimum of 6,500 square feet in size and there would have to be a public street. Because of these limitations, some R-1 lots could be placed on this subject site but there would be no way to make eight R-1 homes fit. Most of the proposed homes are smaller than the size required to be R-1. MR. LEOBOLD pointed out that open space is required although it is not a requirement as there are fewer than 12 lots.

COMMISSIONER McSWAIN stated that due to the odd shape of the lot and because the next-door neighbor was amenable to this project and the applicant is providing a buffer to the R-1 lots, she could support it.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:38)

3-2775

CONDITIONS:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

CONDITIONS – Continued:

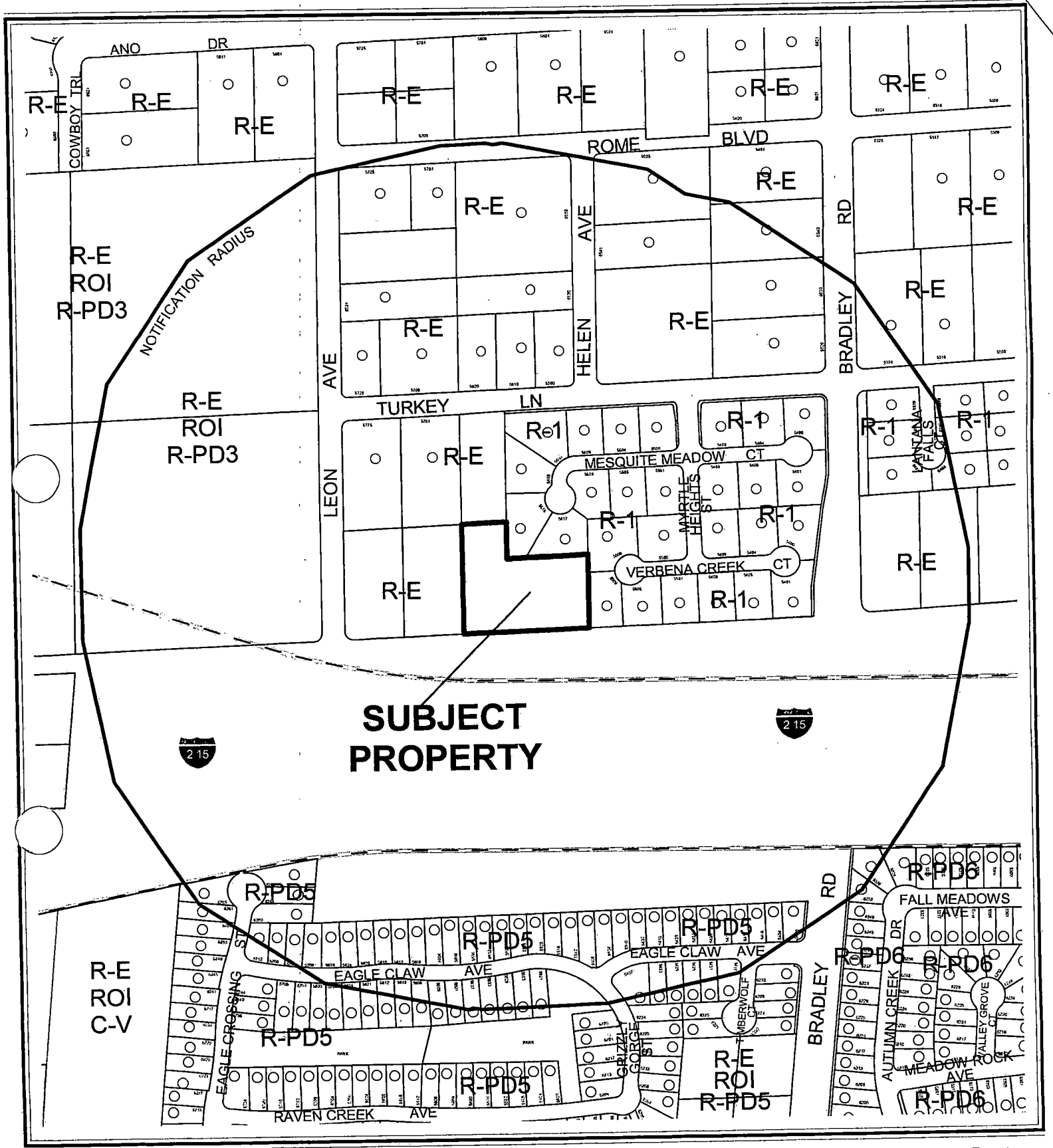
2. A Resolution of Intent with a two-year time limit.

Public Works

3. Construct full width street improvements on Centennial Parkway adjacent to this site concurrent with development of this site within the existing 50-foot right-of-way, including curb, gutter, and sidewalk on the north side of Centennial Parkway, and a minimum of curb and gutter on the south side, unless otherwise directed by the City Engineer. Also, extend a minimum of two lanes of paving in the Centennial Parkway alignment westerly to tie into Leon Avenue.

4. Extend public sewer to the west 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.

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 submittal 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.

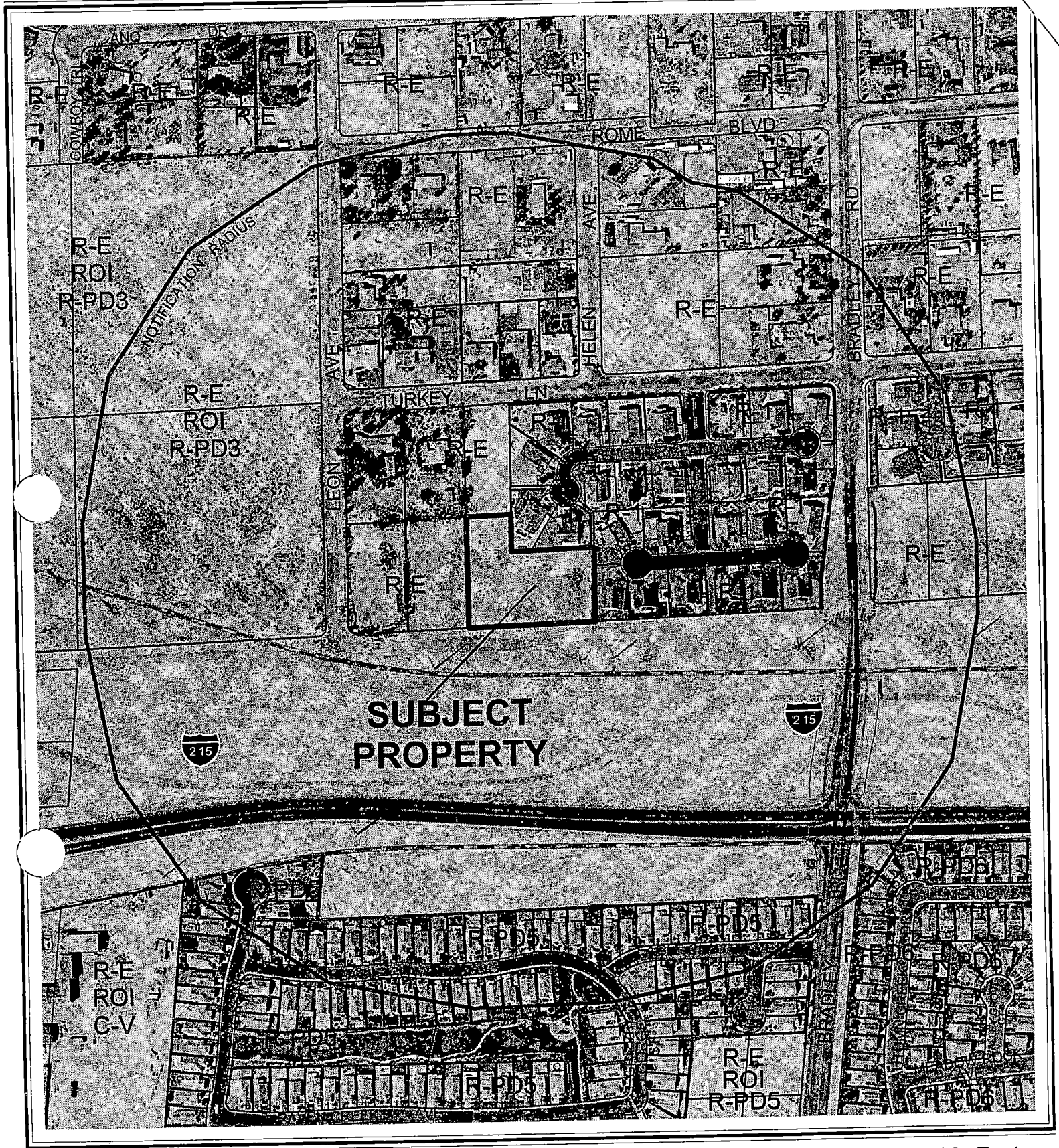


CASE: **ZON-6274**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)



0 300 600 Feet

CASE: **ZON-6274**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6274 - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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

Public Works

3. Construct full width street improvements on Centennial Parkway adjacent to this site concurrent with development of this site within the existing 50-foot right-of-way, including curb, gutter, and sidewalk on the north side of Centennial Parkway, and a minimum of curb and gutter on the south side, unless otherwise directed by the City Engineer. Also, extend a minimum of two lanes of paving in the Centennial Parkway alignment westerly to tie into Leon Avenue.

4. Extend public sewer to the west 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.

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 submittal 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.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Rezoning from R-E (Residence Estates) to R-PD4 (Residential Planned Development - 4 units per acre) on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue.

B) Applicant's Justification

A letter was submitted with the application with the following statement: "Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 Units per Acre (R-PD4) which is compatible with the surrounding area."

BACKGROUND INFORMATION

A) Related Actions

04/28/05 The Planning Commission is scheduled to consider accompanying applications, which include the following: a Waiver (WVR-6277) in a Title 18 standard, a Variance (VAR-6276) in the minimum area for formation of an R-PD (Residential Planned Development) zoning district, and a Site Development Plan Review (SDR-6275) for an eight-lot single-family residential development.

B) Pre-Application Meeting

02/10/05 The staff met with the prospective applicant on a proposal for an eight-lot residential subdivision of the subject property. The staff reviewed the various processes that would be required for consideration of the proposal.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Rezoning application, and none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.79 Acres

DDS

B) Existing Land Use

Subject Property	Undeveloped
North	Single-family dwellings
	Undeveloped property
South	Centennial Parkway and the Beltway
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	Centennial Parkway and the Beltway
East	L (Low Density Residential)
West	L (Low Density Residential)

D) Existing Zoning

Subject Property	R-E (Residence Estates)
North	R-1 (Single-Family Residential)
	R-E (Residence Estates)
South	Centennial Parkway and the Beltway
East	R-1 (Single-Family Residential)
West	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is classified in the L (Low Density Residential) land use category that permits up to 5.5 units per acre. The proposed development of eight single-family lots on 1.79 acres results in a density of development of 4.46 dwelling units per acre, which is within the permitted density of the land use classification.

SPECIAL DISTRICTS/ZONES	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

There are no special plans or overlay districts that affect the subject property.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

The development standards are presented with the Site Development Plan Review (SDR-6275) that accompanies this application.

B) General Analysis and Discussion

The applicant is proposing an eight-lot subdivision for single-family homes at a density of 4.5 dwelling units per acre. The lots proposed would be from 4,512 to 7,120 square feet in size. The interior streets that serve the development are proposed to be private 40-foot wide streets that access Centennial Parkway.

Since the subject property is 1.79 acres in size, it is not large enough for the formation of a Residential Planned Development zoning district. The district requires a minimum of five acres for its formation, so the applicant is requesting a Variance (VAR-6276) to reduce the minimum size for formation of the district. As there is no legal basis for granting the Variance, it is recommended that that application and all accompanying applications, including this one, 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 property is classified in the L (Low Density Residential) land use category that permits up to 5.5 dwelling units per acre. The proposed development of eight single-family lots on 1.79 acres generates a density of development of 4.46 dwelling units per acre, which is within the permitted density of the land use classification, and therefore, conforms to the General Plan.

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

   Property to the north and east of the subject property is zoned and developed for single-family residences and property to the west has a land use designation that permits up to 5.5 dwelling units per acre. The applicant proposes to develop the subject property with eight single-family residences on lots that would be approximately 4,512 to 7,120 square feet in size. The uses at this density are compatible to the adjoining properties.

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

   The request for Rezoning is not a change from the underlying land use classification that permits this type and density of land use proposed.

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 property fronts on Centennial Parkway, which according to the Master Plan of Streets and Highways, is designed for a right-of-way width of 100 feet. At this location, the street would provide access to property only on the north side and provide adequate access.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 120 [Mailed with VAR-6276, WVR-6277 and SDR-6275]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6274 APN: 125-24-404-007

Name of Property Owner: EXBER, INC.

Name of Applicant: FARUS FARMANALI / AU INVESTMENTS

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: John P. Jones

Print Name: JOHN P. JONES

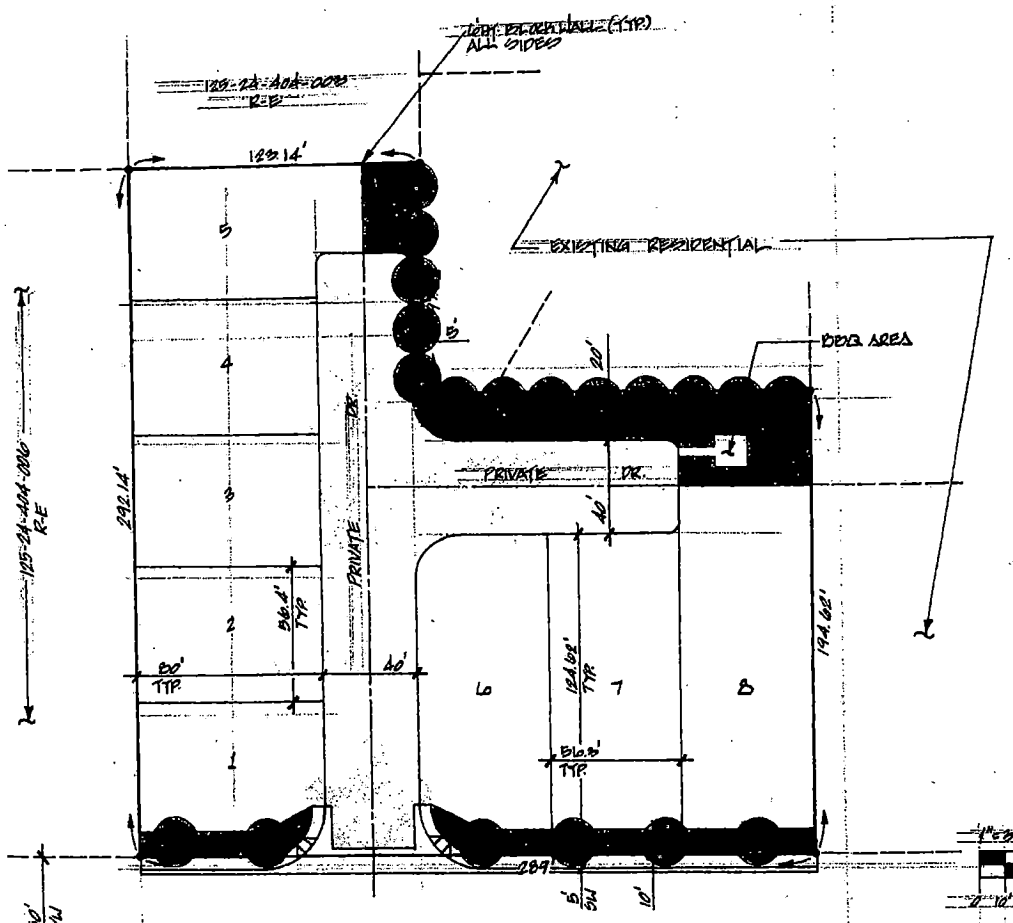
Subscribed and sworn before me

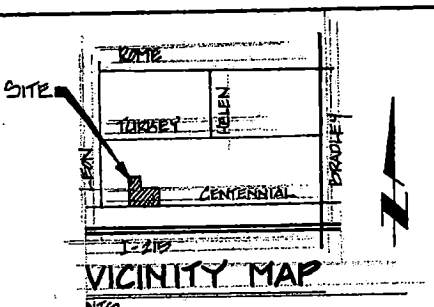
This 25 day of February, 2005

Joy M Farrell-Long

Notary Public in and for said County and State

JOY M. FARRELL-LONG
Notary Public State of Nevada
No. 93-2508-1
My appt. exp. Nov. 18, 2008





VICINITY MAP

NTS.

TABULATION

APN: 126-22-404-007	
NET ACREAGE	1.79
DEV. DEN. OF LOTS	4512-7120 S.F.
D.U.A.	4.47
OPEN SPACE	6,275 S.F.
EXISTING ZONING	L
PROPOSED ZONING	

PLANT LIST

COMMON NAME	SIZE
TREES	
MONDEL PINES	24" BOX
SWEETGUM	" "
SHRUBS	
DWARF MOCK ORANGE	5 GAL.
INDIAN HAWTHORNE "PINKIE"	" "
FOUNTAIN GRASS	" "
ROSEMARY "CREEPING"	" "
ELEANYMUS "GOLDSPOT"	" "
JUNIPERS	" "
DAY LILLIES	1 "

NOTE:
ALL GROUND COVER TO BE DECOMPOSED GRANITE OR CHAT (TYP.)

RECEIVED
MAR 15 2005

ZON-6274
04/28/05 PC

CENTENNIAL / LEON 3/2005
SITE PLAN / LANDSCAPING

March 14, 2005

City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101
Attention: Planning Department

RE: APN 125-24-104-007 REZONING, SITE DEVELOPMENT REVIEW, VARIANCE & WAIVER OF TITLE 18

To Whom it May Concern:

We at All Investments would like to request the following:

REZONING & SITE DEVELOPMENT REVIEW

Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 Dwelling Units per Acre (RPD4) which is compatible with the surrounding area.

WAIVER OF TITLE 18

Based on the size and shape of the subject property at 1.79 acres with a total of 8 single family lots, we are proposing private streets with a 3 point turn around in lieu of a cul-de-sac for Fire Department access. We believe that this meets the Fire Departments requirements for access. Furthermore, if a cul-de-sac were required, we would loose lots which would be an economic impact to the overall development of this proposed project.

If you have any questions, please feel free to call me at (702) 325-9503.

Sincerely,

Bill Roberts
933 Viscanio Place
Las Vegas, NV 89138

City of Las Vegas

Agenda Item No.: 66

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

WVR-6277 - WAIVER OF TITLE 18 RELATED TO ZON-6274 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Waiver of Title 18.12.130 TO ALLOW A PRIVATE STREET OVER 150 FEET IN LENGTH TO TERMINATE WITHOUT A TURN AROUND OR EMERGENCY ACCESS GATE IN CONJUNCTION WITH A PROPOSED EIGHT LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	0
City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 66 – WVR-6277

CONDITIONS:

Planning and Development

1. Approval of applications for a Rezoning (ZON-6274), a Variance (VAR-6276), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

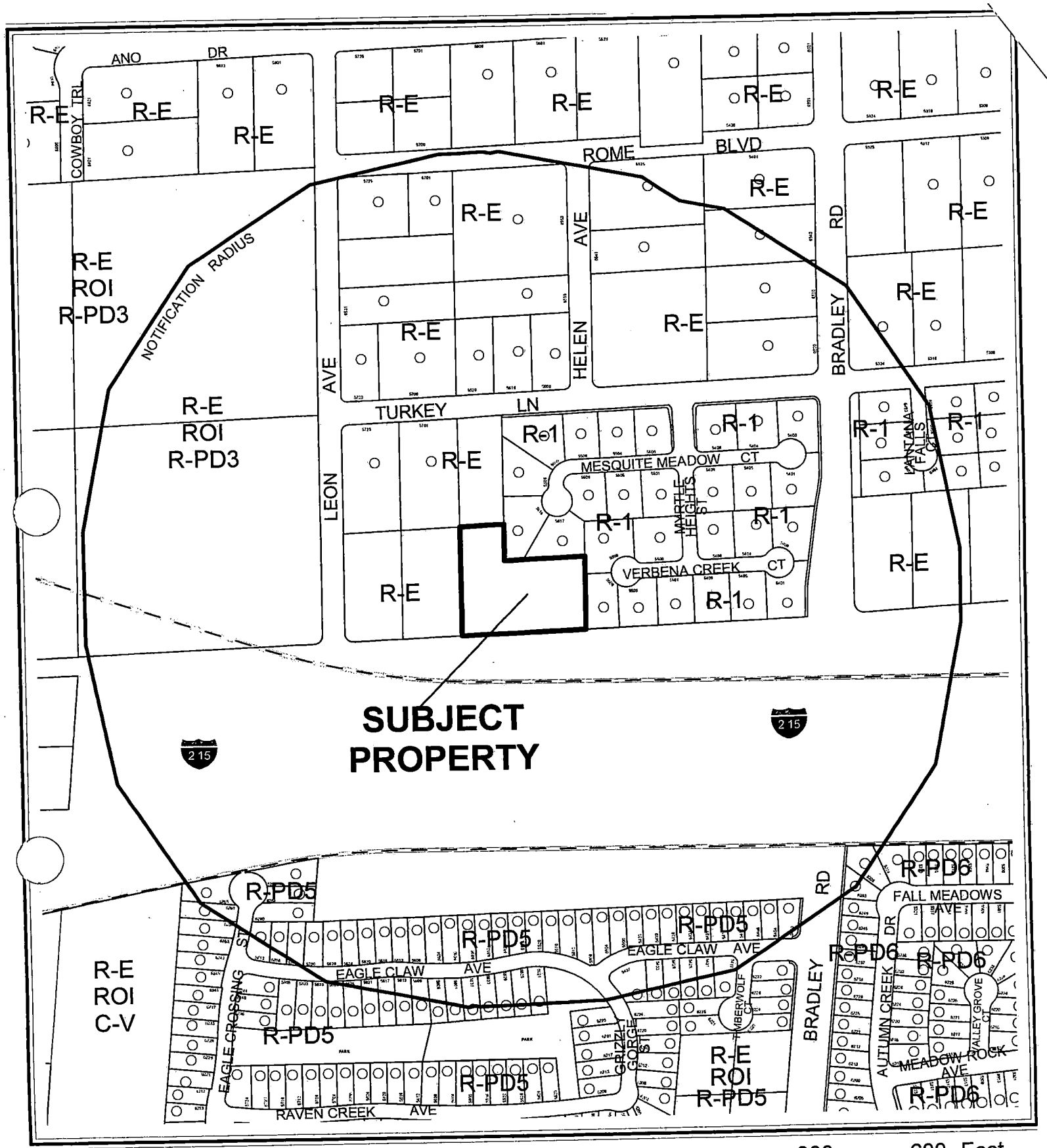
2. All City code requirements and all City departments' design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

3. Buildings must be constructed with fire sprinkler systems acceptable to the Department of Fire Services.

4. 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.

5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6274, Site Development Plan Review SDR-6275 and all other applicable site-related actions.



CASE: **WVR-6277**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: WVR-6277 - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of applications for a Rezoning (ZON-6274), a Variance (VAR-6276), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

2. All City code requirements and all City departments' design standards shall be met, other than those waived or varied through this and companion applications.

Public Works

4. Buildings must be constructed with fire sprinkler systems acceptable to the Department of Fire Services.

5. 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.

6. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-6274, Site Development Plan Review SDR-6275 and all other applicable site-related actions.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Request for a Waiver of Title 18.12.130 to allow a private street over 150 feet in length to terminate without a turn-around in conjunction with a proposed eight lot single-family residential development on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue.

B) Applicant's Justification

In a letter submitted with the application, the applicant has justified this request by indicating that because of the size and shape of the subject property, private streets with a three-point turnaround in lieu of a cul-de-sac for Fire Department access. It is believed that this configuration meets the Fire Department's requirements for access. The letter also continues with the statement: "Furthermore, if a cul-de-sac were required, we would lose lots which would be an economic impact to the overall development of this proposed project."

BACKGROUND INFORMATION

A) Related Actions

04/28/05 The Planning Commission is scheduled to consider accompanying applications, which include the following: Rezoning (ZON-6274) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre), a Variance (VAR-6276) in the minimum area for formation of an R-PD (Residential Planned Development) zoning district, and a Site Development Plan Review (SDR-6275) for an eight lot single-family residential development.

B) Pre-Application Meeting

02/10/05 The staff met with the prospective applicant on a proposal for an eight-lot residential subdivision of the subject property. The staff reviewed the various processes that would be required for consideration of the proposal.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Waiver, and none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.79 Acres

B) Existing Land Use

Subject Property	Undeveloped
North	Single-family dwellings
	Undeveloped property
South	Centennial Parkway and the Beltway
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	Centennial Parkway and the Beltway
East	L (Low Density Residential)
West	L (Low Density Residential)

D) Existing Zoning

Subject Property	R-E (Residence Estates)
North	R-1 (Single-Family Residential)
	R-E (Residence Estates)
South	Centennial Parkway and the Beltway
East	R-1 (Single-Family Residential)
West	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is classified in the L (Low Density Residential) land use category that permits up to 5.5 dwelling units per acre. The proposed development of eight single-family lots on 1.79 acres generates a density of development of 4.46 units per acre, which is within the permitted density of the land use classification.

SPECIAL DISTRICTS/ZONES	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**

There are no special plans or overlay districts that affect the subject property.

DDS

PROJECT DESCRIPTION

The applicant is proposing an eight-lot subdivision for single-family homes at a density of 4.5 dwelling units per acre. The lots proposed would be from 4,512 to 7,120 square feet in size. The interior streets that serve the development are proposed to be private 40-foot wide streets that access Centennial Parkway.

ANALYSIS

A) Zoning Code Compliance

This request is not a Zoning Code compliance issue but a request for a Waiver in Title 18.12.130 of the Subdivision Ordinance to allow a private street over 150 feet in length to terminate without a turn-around. The requirement states: "For private streets or drives which terminate at a length over one hundred fifty feet, there shall be either a circular turn-around or emergency service vehicle access gates." Neither a turnaround nor emergency vehicle access gates is proposed.

The applicant justifies this request by indicating that private streets with a three-point turnaround in lieu of a cul-de-sac are adequate for Fire Department access.

FINDINGS

The proposed design does not appear to present turn conflicts, nor is it expected to hinder area traffic flows. The hardship generating the request for the Waiver is real, given the shape and location of the parcel and scale of the project. An accompanying request for a Variance (VAR-6276) has been submitted to reduce he required area for the formation of a Residential Planned Development zoning district. As there is no legal basis for the Variance, it is recommended that that application and other accompanying applications, including this one, be denied.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 120 [Mailed with ZON-6274, VAR-6276 and SDR-6275]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: WVR-6277 APN: 125-24-404-007

Name of Property Owner: _____

Name of Applicant: FARUK FARMANALI

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: _____ FOR EXBER, INC

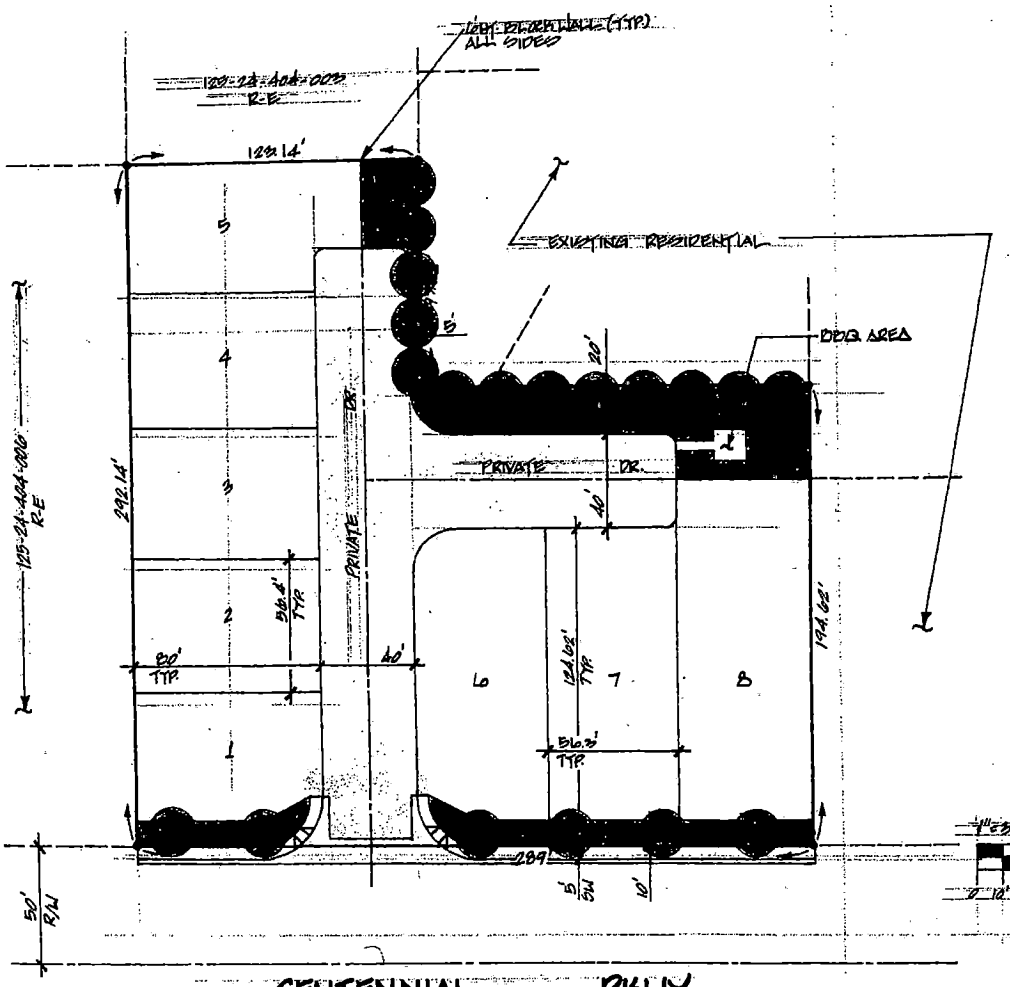
Print Name: JOHN P JONES

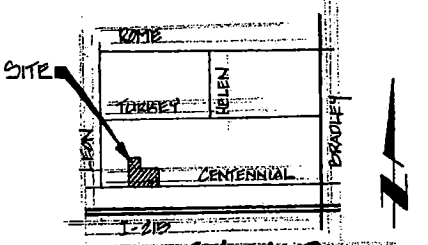
Subscribed and sworn before me

This 7th day of February, 2005

_____
Notary Public in and for said County and State

JOY M. FARRELL-LONG
Notary Public State of Nevada
No. 93-2508-1
My appt. exp. Nov. 18, 2008





VICINITY MAP

NTS.

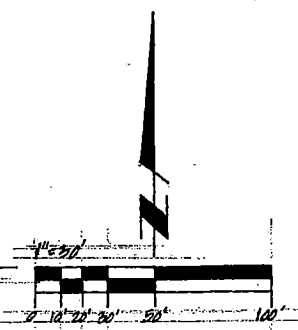
TABULATION

APN	125-12-A04-007
NET ACREAGE	1.79
SQ. FTG. OF LOT(S)	4512-7120 +/-
D.U.A.	4.47
OPEN SPACE	6,079 +/-
EXISTING ZONING	L
PROPOSED ZONING	

PLANT LIST

COMMON NAME	SIZE
TREES	
MONDEL PINES	24" BOX
SHOESTRING ACACIA	" "
SHRUBS	
DWARF CAPE ORANGE	5 GAL.
INDIAN HAWTHORNE "PINKIE"	" "
FOUNTAIN GRASS	" "
ROSEMARY CREEPING	" "
EUONYMOUS "GOLD SPOT"	" "
JUNIPERS	" "
DRY LILLIES	1 "

NOTE:
ALL GROUND COVER TO BE DECOMPOSED GRANITE OR CHAT (TYP.)



WVR-6277

RECEIVED

04/28/05 PC

CENTENNIAL / LEON 3/2005

SITE PLAN / LANDSCAPING

March 14, 2005

City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101
Attention: Planning Department

RE: APN 125-24-104-007 REZONING, SITE DEVELOPMENT REVIEW, VARIANCE & WAIVER OF TITLE 18

To Whom it May Concern:

We at All Investments would like to request the following:

REZONING & SITE DEVELOPMENT REVIEW

Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 Dwelling Units per Acre (RPD4) which is compatible with the surrounding area.

WAIVER OF TITLE 18

Based on the size and shape of the subject property at 1.79 acres with a total of 8 single family lots, we are proposing private streets with a 3 point turn around in lieu of a cul-de-sac for Fire Department access. We believe that this meets the Fire Departments requirements for access. Furthermore, if a cul-de-sac were required, we would loose lots which would be an economic impact to the overall development of this proposed project.

If you have any questions, please feel free to call me at (702) 325-9503.

Sincerely,

Bill Roberts
933 Viscanio Place
Las Vegas, NV 89138

City of Las Vegas

Agenda Item No.: 67

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-6276 - VARIANCE RELATED TO ZON-6274 AND WVR-6277 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Variance TO ALLOW A R-PD (RESIDENTIAL PLANNED DEVELOPMENT) ZONING DISTRICT ON 1.79 ACRES WHERE 5.00 ACRES IS THE MINIMUM REQUIRED adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

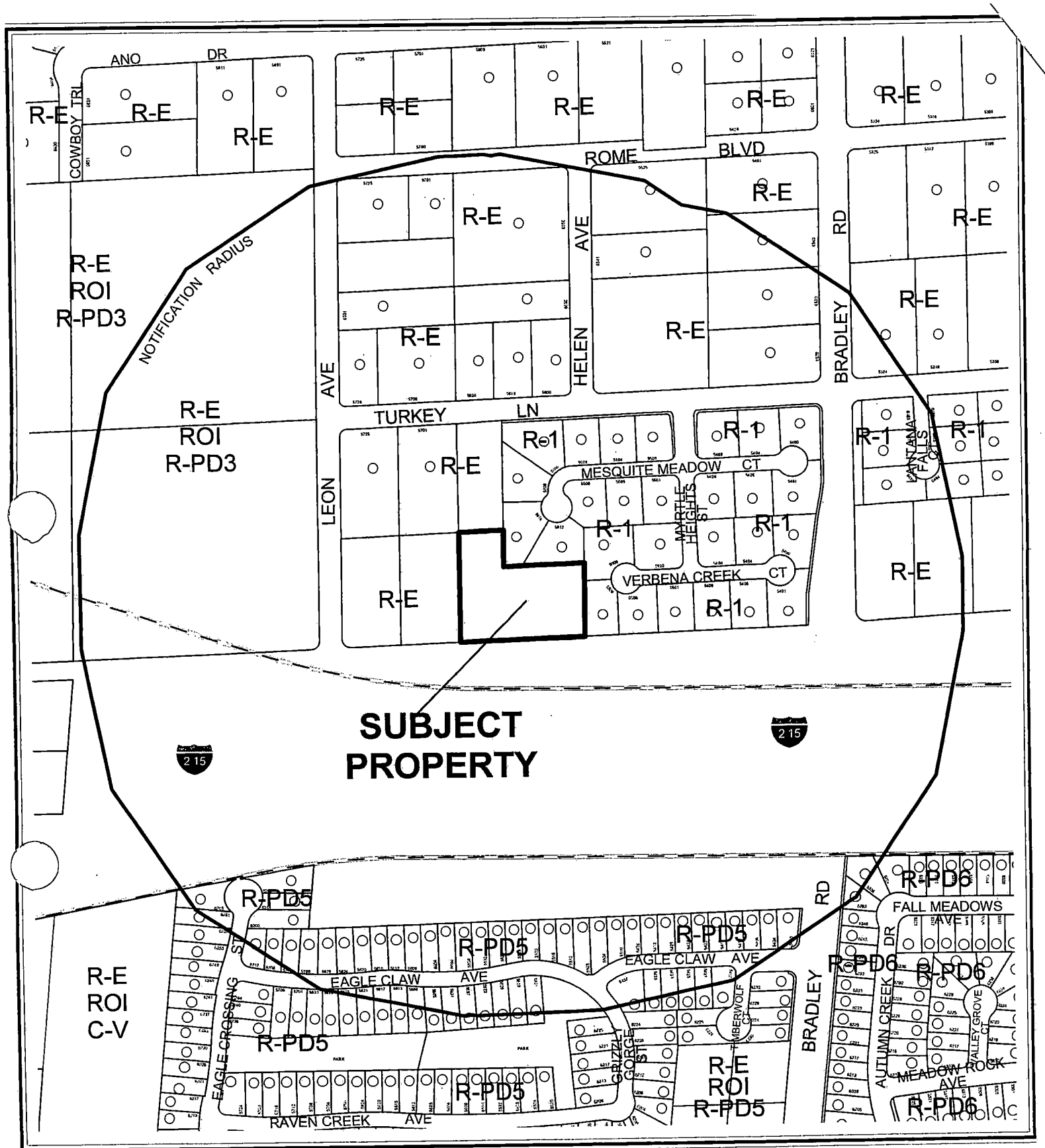
(10:14 – 10:29)

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 67 – VAR-6276

CONDITIONS:

1. Approval of applications for a Rezoning (ZON-6274), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

2. This Variance shall expire two years from the date of final approval, unless it is exercised or an Extension of Time is granted by the City Council.



CASE: **VAR-6276**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6276 - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of applications for a Rezoning (ZON-6274), a Waiver (WVR-6277), and a Site Development Plan Review (SDR-6275) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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.

DDS

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a Request for a Variance to allow a R-PD (Residential Planned Development) Zone on 1.79 acres, where 5.00 acres is the minimum required, adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue.

B) Applicant's Justification

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

BACKGROUND INFORMATION

A) Related Actions

04/28/05 The Planning Commission is scheduled to consider accompanying applications, which include the following: Rezoning (ZON-6274) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre), a Waiver (WVR-6277) in a Title 18 standard, and a Site Development Plan Review (SDR-6275) for an eight-lot single-family residential development.

B) Pre-Application Meeting

02/10/05 The staff met with the prospective applicant on a proposal for an eight-lot residential subdivision of the subject property. The staff reviewed the various processes that would be required for consideration of the proposal.

C) Neighborhood Meetings

A neighborhood meeting is not required for a Variance, and none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.79 Acres

DDS

B) Existing Land Use

Subject Property	Undeveloped
North	Single-family dwellings
	Undeveloped property
South	Centennial Parkway and the Beltway
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	Centennial Parkway and the Beltway
East	L (Low Density Residential)
West	L (Low Density Residential)

D) Existing Zoning

Subject Property	R-E (Residence Estates)
North	R-1 (Single-Family Residential)
	R-E (Residence Estates)
South	Centennial Parkway and the Beltway
East	R-1 (Single-Family Residential)
West	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is classified in the L (Low Density Residential) land use category that permits up to 5.5 units per acre. The proposed development of eight single-family lots on 1.79 acres results in a density of development of 4.46 units per acre, which is within the permitted density of the land use classification.

SPECIAL DISTRICTS/ZONES	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

There are no special plans or overlay districts that affect the subject property.

DDS

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.06.040, the minimum site area that is eligible for rezoning to the R-PD (Residential Planned Development) zoning district is five acres. The subject property consists of 1.79 acres, which is the reason for the subject Variance.

Other development standards are presented with the Site Development Plan Review (SDR-6275) that accompanies this application.

B) General Analysis and Discussion

This is a Request for a Variance to allow a R-PD (Residential Planned Development) zoning district on 1.79 acres where 5.00 acres is the minimum required for the formation of a R-PD zoning district. Regardless of the merits of the project, a Variance may only be granted when there is present a "hardship" or "practical difficulty," as defined by the City's Zoning Ordinance, the Nevada Revised Statutes, or by case law promulgated in the state of Nevada. There does not appear to be a hardship or practical difficulty; consequently, it is recommended that this application and all accompanying applications be denied.

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The criteria in Title 19 for granting a variance are promulgated from common law in the State of Nevada. More specifically, a "practical difficulty" or "hardship" as stated above has special meaning under Nevada law. The courts have interpreted a hardship to mean that a "regulation to property greatly decreases or practically destroys its value for any permitted use, so as to deprive the owner of the land of all beneficial use or that land is virtually useless as it is presently zoned." [*Enterprise Citizens v. Clark County Commissioners* (1996).]

While the applicant can enjoy greater profit with an R-PD4 (Residential Planned Development – 4 units per acre) zoning district, a R-1 (Single-Family Residential) zone does not require a Variance. It also does not result in a hardship to the applicant. Therefore, it is recommended that this application be denied.

This recommendation of denial is based on the following findings:

- **No evidence is provided that a hardship exists to warrant a variance in the required amount of open space.** The onus for presenting such evidence is placed on the applicant, the person allegedly aggrieved by the requirement. No such evidence has been presented with the application.

- **The hardship is self-imposed.** Clearly the hardship is of the applicant's own making, as the request is based upon the manner in which the applicant proposes to development the property.

- **Use of the property is not denied.** The property has no exceptional narrowness, shallowness, shape, exceptional topographic conditions or other extraordinary and exceptional situation or conditions attributed to the property. The question is one of whether the property could be developed under another classification that would not require a Variance. Since profit motives and financial incentives are not a basis for the granting of a Variance, clearly the property could be developed under a R-1 (Single-Family Residential) zone with one or two fewer lots that does not require a Variance.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 120 [Mailed with ZON-6274, WVR-6277 and SDR-6275]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6276 APN: 125-24-404-007

Name of Property Owner: EXBER, INC.

Name of Applicant: FAROS FARMANALI / ALL INVESTMENTS

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: John P. Jones

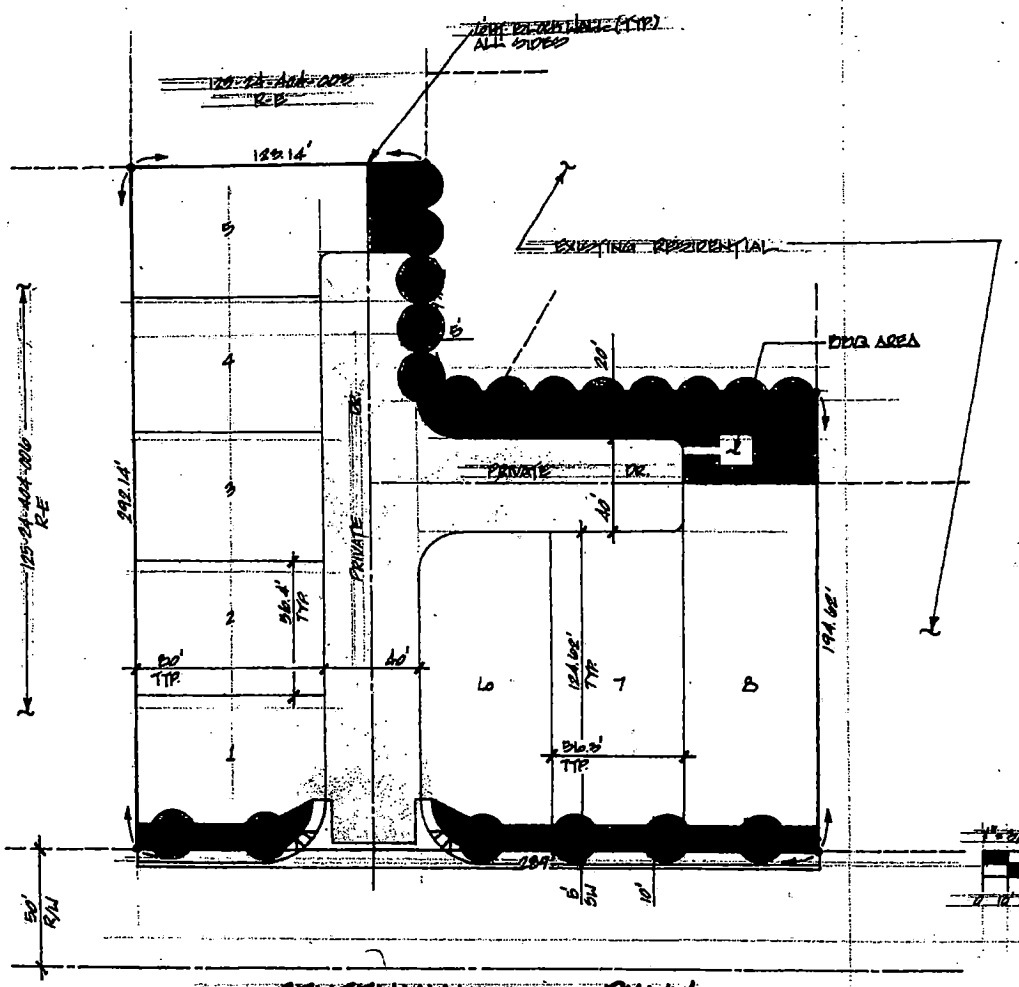
Print Name: JOHN P. JONES

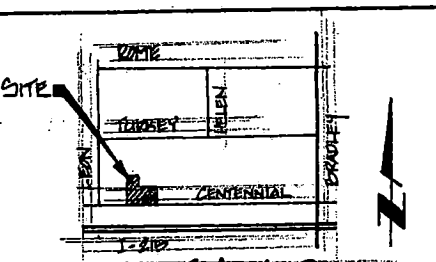
Subscribed and sworn before me

This 25 day of Feb, 2005

Joy McDonald Long
Notary Public in and for said County and State

JOY M. FARRELL-LONG
Notary Public State of Nevada
No. 93-2508-1
My appt. exp. Nov. 18, 2008





VICINITY MAP

NTS.

TABULATION

APN: 125-24-004-006	
NET ACREAGE	1.79
EXC. PVT. DR. LOTS	4912 - 7120 +/-
D.U.A.	4.47
OPEN SPACE	16,275 +/-
EXISTING ZONING	L
PROPOSED ZONING	

PLANT LIST

	COMMON NAME	SIZE
	TREES:	
	MONDEL PINES	24" BOX
	CANARY ISLAND ACACIA	" "
	SHRUBS:	
	DWARF "COOS ORANGE"	5 GAL.
	INDIAN HAWTHORNE "PINKIE"	" "
	FOUNTAIN GRASS	" "
	ROSEMARY CREEPING	" "
	EUONYMUS "SOLIDEAST"	" "
	JUNIPERS	" "
	DECOMPOSED GRANITE	

NOTE:
ALL GROUND COVER TO BE DECOMPOSED GRANITE OR CHIP (TYP.)

RECEIVED

CENTENNIAL / LEON 3/2005

SITE PLAN / LANDSCAPING

VAR-6276
04/28/05 PC

March 14, 2005

City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101
Attention: Planning Department

RE: APN 125-24-104-007 REZONING, SITE DEVELOPMENT REVIEW, VARIANCE & WAIVER OF TITLE 18

To Whom it May Concern:

We at All Investments would like to request the following:

REZONING & SITE DEVELOPMENT REVIEW

Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 Dwelling Units per Acre (RPD4) which is compatible with the surrounding area.

WAIVER OF TITLE 18

Based on the size and shape of the subject property at 1.79 acres with a total of 8 single family lots, we are proposing private streets with a 3 point turn around in lieu of a cul-de-sac for Fire Department access. We believe that this meets the Fire Departments requirements for access. Furthermore, if a cul-de-sac were required, we would loose lots which would be an economic impact to the overall development of this proposed project.

If you have any questions, please feel free to call me at (702) 325-9503.

Sincerely,

Bill Roberts
933 Viscanio Place
Las Vegas, NV 89138

City of Las Vegas

Agenda Item No.: 68

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-6275 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6274, WVR-6277, AND VAR-6276 - PUBLIC HEARING - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC. - Request for a Site Development Plan Review FOR A PROPOSED EIGHT LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue (APN 125-24-404-007), R-E (Residence Estates) Zone [PROPOSED: R-PD4 (Residential Planned Development - 4 units per acre) Zone], Ward 6 (Mack).

C.C.: 06/01/05

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

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

MOTION:

McSWAIN – APPROVED subject to conditions – Motion carried with DAVENPORT voting NO and STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:

See Item 65 [ZON-6274] for related discussion on Item 65 [ZON-6274], Item 66 [WVR-6277], Item 67 [VAR-6276] and Item 68 [SDR-6275].

(10:14 – 10:29)

3-2044

PLANNING COMMISSION MEETING OF APRIL 28, 2005
Planning and Development Department
Item 68 – SDR-6275

CONDITIONS:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Rezoning (ZON-6274) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/15/05, except as amended by conditions herein.

4. The standards for this development shall be established as follows: minimum lot size of 4,512 square feet, minimum distance between buildings of 10 feet, lot coverage not exceeding 50%, and building height not exceeding one story.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet to the side, 10 feet on the corner side, and 15 feet in the rear.

6. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map to reflect the setbacks noted in #5 above.

7. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map, to illustrate nine minimum 24-inch box trees, planted a maximum of 30 feet on-center, and a minimum of 36 five-gallon shrubs within the planter along Centennial Parkway.

8. Detailed floor plans for the proposed residences and elevations in the development shall be submitted and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map.

9. Air conditioning units shall not be mounted on rooftops.

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

CONDITIONS – Continued:

11. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments shall be satisfied.

14. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

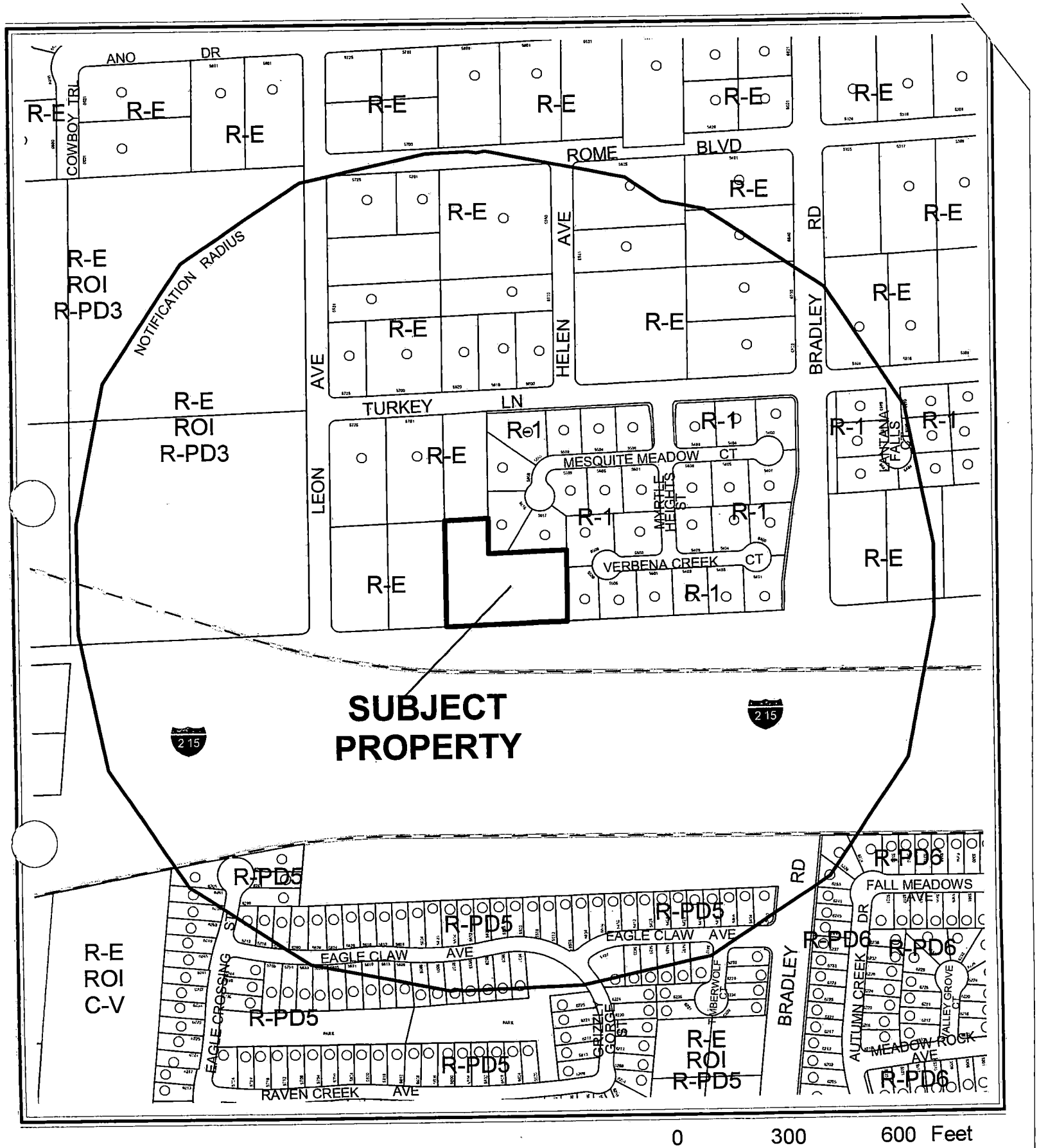
Public Works

15. There is an existing 10-foot Public Drainage Easement located along the eastern perimeter of this site adjacent to Lot 8. Unless the approved Drainage Plan/Study provides an alternative design that allows for the vacation of portions of said easement, the Final Map for this site shall define the 10-foot Pubic Drainage Easement as a separate common lot that will be privately maintained by the Homeowner's Association.

16. A homeowners association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. Site development to comply with all applicable conditions of approval for ZON-6274, WVR-6277 and all other applicable site-related actions.

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



CASE: **SDR-6275**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD4 (RESIDENTIAL PLANNED DEVELOPMENT - 4 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6275 - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of applications for a Variance (VAR-6276), a Waiver (WVR-6277), and a Rezoning (ZON-6274) by the City Council prior to issuance of any permits, any site grading, and all development activity for the site.

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

3. All development shall be in conformance with the site plan and building elevations date stamped 03/15/05, except as amended by conditions herein.

4. The standards for this development shall be established as follows: minimum lot size of 4,512 square feet, minimum distance between buildings of 10 feet, lot coverage not exceeding 50%, and building height not exceeding one story.

5. The setbacks for this development shall be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 5 feet to the side, 10 feet on the corner side, and 15 feet in the rear.

6. The site plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map to reflect the setbacks noted in #5 above.

7. The landscape plan shall be revised and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map, to illustrate nine minimum 24-inch box trees, planted a maximum of 30 feet on-center, and a minimum of 36 five-gallon shrubs within the planter along Centennial Parkway.

8. Detailed floor plans for the proposed residences and elevations in the development shall be submitted and approved by staff of the Planning and Development Department, prior to the time application is made for a Tentative Map.

9. Air conditioning units shall not be mounted on rooftops.

DDS

10. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

11. All property line walls shall be decorative block walls, with at least 20 percent contrasting materials, and they shall not exceed a height of eight feet, including the height needed for retaining. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade. Where a greater wall height is needed, it shall be stepped back or terraced by a distance of five feet so no portion thereof exceeds a height of eight feet.

12. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and functioning prior to construction of any combustible structures.

13. All City Code requirements and design standards of all City departments shall be satisfied.

14. No turf shall be placed in the non-recreational common areas, such as medians and amenity zones in this development.

Public Works

15. There is an existing 10-foot Public Drainage Easement located along the eastern perimeter of this site adjacent to Lot 8. Unless the approved Drainage Plan/Study provides an alternative design that allows for the vacation of portions of said easement, the Final Map for this site shall define the 10-foot Pubic Drainage Easement as a separate common lot that will be privately maintained by the Homeowner's Association.

16. A homeowners association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

17. Site development to comply with all applicable conditions of approval for ZON-6274, WVR-6277 and all other applicable site-related actions.

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

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Site Development Plan Review for a proposed eight-lot single-family residential development on 1.79 acres adjacent to the north side of Centennial Parkway, approximately 310 feet east of Leon Avenue.

B) Applicant's Justification

A letter was submitted with the application with the following statement: "Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 units per acre (R-PD4) which is compatible with the surrounding area."

BACKGROUND INFORMATION

A) Related Actions

04/28/05 The Planning Commission is scheduled to consider accompanying applications, which include the following: Rezoning (ZON-6274) of the subject property to R-PD4 (Residential Planned Development – 4 units per acre), a Waiver (WVR-6277) in a Title 18 standard; and a Variance (VAR-6276) in the minimum area for formation of a R-PD zoning district.

B) Pre-Application Meeting

02/10/05 The staff met with the prospective applicant on a proposal for an eight-lot residential subdivision of the subject property. The staff reviewed the various processes that would be required for consideration of the proposal.

C) Neighborhood Meetings

No meeting is required for a Site Development Plan Review, and none was held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Acres: 1.79 Acres

DDS

B) Existing Land Use

Subject Property	Undeveloped
North	Single-family dwellings
	Undeveloped property
South	Centennial Parkway and the Beltway
East	Single-Family residential
West	Undeveloped

C) Planned Land Use

Subject Property	L (Low Density Residential)
North	L (Low Density Residential)
South	Centennial Parkway and the Beltway
East	L (Low Density Residential)
West	L (Low Density Residential)

D) Existing Zoning

Subject Property	R-E (Residence Estates)
North	R-1 (Single-Family Residential)
	R-E (Residence Estates)
South	Centennial Parkway and the Beltway
East	R-1 (Single-Family Residential)
West	R-E (Residence Estates)

E) General Plan Compliance

The subject property is located in the Centennial Hills Sector of the General Plan. The property is classified in the L (Low Density Residential) land use category that permits up to 5.5 units per acre. The proposed development of eight single-family lots on 1.79 acres generates a density of development of 4.46 units per acre, which is within the permitted density of the land use classification.

SPECIAL DISTRICTS/ZONES	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

There are no special plans or overlay districts that affect the subject property.

DDS

PROJECT DESCRIPTION

The applicant is proposing an eight-lot subdivision for single-family homes at a density of 4.5 dwelling units per acre. The lots proposed would be from 4,512 to 7,120 square feet in size. The interior streets that serve the development are proposed to be private 40-foot wide streets that access Centennial Parkway.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Pursuant to Title 19.08, the Development Standards for a Residential Planned Development project are established through the Site Development Plan Review process. For the subject project, the following standards are proposed:

Standard	Provided
Min. Lot Size	4,512 sq. ft.
Min. Lot Width	56 feet
Min. Setbacks • Front • Front (side loaded) • Side • Corner • Rear	 Not indicated Not indicated Not indicated Not indicated Not indicated
Max. Lot Coverage	Not indicated
Max. Building Height	Two stories

The site plan does not provide information on the proposed setbacks for buildings. This discrepancy is addressed in the conditions of approval for this report.

A2) Landscape and Open Space Standards

Pursuant to Title 19.12, a single-family development adjacent to a primary and/or secondary thoroughfare shall be provided with a minimum six-foot landscape planter along the street. Within the planter, 24-inch box trees are to be planted every 30 linear feet plus one.

Standards	Required		Provided
	Ratio	Trees	Trees
Street trees	1 tree / 30 linear feet + 1	9	6

For a linear frontage of 249 feet along Centennial Parkway, nine trees are required. According to the landscape plan, six Mondel pine trees are proposed within a 10-foot wide landscape planter. In addition, four five-gallon shrubs are to be planted for each 24-inch box tree; however, only three bushes are shown for each tree. These discrepancies are addressed in the conditions of approval for this report.

Pursuant to Title 19.06, Open Space Standards are not applicable to the subject proposal, because the number of lots is less than 12. However, the development is provided with 6,075 square feet of open space along the north and east sides of the private drives and along Centennial Parkway. Within the open space, there is shown a "barbeque area" and a row of 13 Mondel pine trees along an existing residential subdivision to the north and east.

B) General Analysis and Discussion

- Zoning

Property to the north and east of the subject property is zoned and developed for single-family residences and property to the west has a land use designation that permits up to 5.5 dwelling units per acre. The applicant proposes to develop the subject property with eight single-family residences on lots that would be approximately 4,512 to 7,120 square feet in size. The uses at this density are compatible to the adjoining properties.

- Site Plan

The applicant is proposing an eight-lot subdivision for single-family homes at a density of 4.5 dwelling units per acre. The lots proposed would be from 4,512 to 7,120 square feet in size. The interior streets that serve the development are proposed to be private 40-foot wide streets that access Centennial Parkway.

Since the subject property is 1.79 acres in size, it is not large enough for the formation of a R-PD (Residential Planned Development) zoning district. The district requires a minimum of five acres for its formation, so the applicant is requesting a Variance (VAR-6276) to reduce the minimum size for formation of the district. As there does not appear to be any legal basis for granting the Variance, it is recommended that that application and all accompanying applications, including this one, be denied.

- Waivers

No Waivers have been requested; however, as discussed above, a Variance (VAR-6276) has been requested in the area for the formation of a R-PD (Residential Planned Development) zoning district. Also, as discussed above, the development is deficient in the landscape standards. This deficiency is addressed as a condition of approval for this report.

- Landscape Plan

  The landscape plan shows a deficiency in the number of trees and bushes required within the landscape planter along Centennial Parkway. This deficiency is addressed in the conditions of approval for this report.

- Elevation

  Plans for a one-story home with variations in the front facade were submitted with the application. The illustrations and conceptual floor plans appear to be harmonious and compatible with development in the area.

- Floor Plan

  One floor plan was submitted with the application. The home, including garage area, is 1,618 square feet in size. A two-car garage is expandable to additional space without an optional fifth bedroom. The floor plan is typical of homes of the size proposed. The home is small in size but efficient in design characteristics.

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 east of the subject property is zoned and developed for single-family residences and property to the west has a land use designation that permits up to 5.5 dwelling units per acre. The applicant proposes to develop the subject property with eight single-family residences on lots that would be approximately 4,512 to 7,120 square feet in size. The proposed single-family homes at this density are compatible to the adjoining properties.

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

   As discussed in the report for an accompanying application for a General Plan Amendment (GPA-6254), the proposed development is consistent with the General Plan. With the exception of compliance with the Landscape Standards, the development complies with adopted City plans, policies and standards.

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

   The subject property fronts on Centennial Parkway, which according to the Master Plan of Streets and Highways, is designed for a right-of-way width of 100 feet. At this location, the street will provide access to property only on the north side and should provide adequate access without negatively impacting adjacent roadways or neighborhood traffic.

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

   Building and landscape materials are 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;"**

   Plans for a one-story home with variations in the front facade were submitted with the application. The home, including garage area, is 1,618 square feet in size. A two-car garage is expandable to additional space without an optional fifth bedroom. The illustrations and conceptual floor plans appear to be harmonious and compatible with development in the area.

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

   Because the site would be subject to ongoing inspection, the public health, safety, and public welfare would not be compromised.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 120 [Mailed with ZON-6274, WVR-6277, VAR-6276 and SDR-6275]

APPROVALS 0

PROTESTS 0

DDS

PLANNING & DEVELOPMENT
DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-6275 APN: 125-24-404-007

Name of Property Owner: EXBER, INC.

Name of Applicant: FARUS FARMANALI / ALL INVESTMENTS

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: John P. Jones

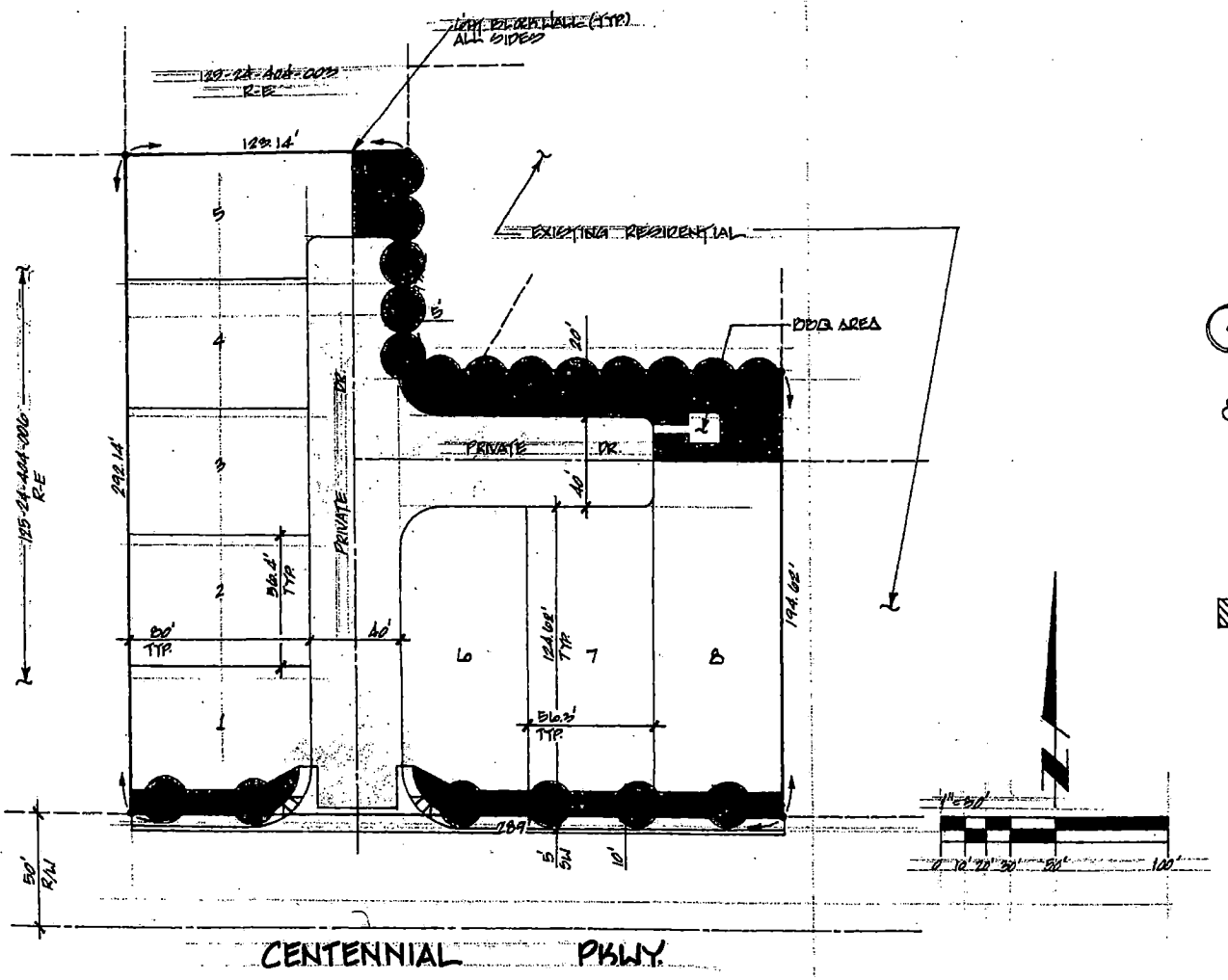
Print Name: JOHN P. JONES

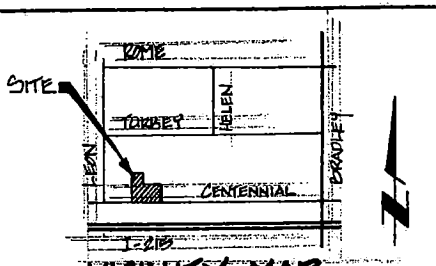
Subscribed and sworn before me

This 25 day of Feb, 2005

Joy M Farrell Long
Notary Public in and for said County and State

JOY M. FARRELL-LONG
Notary Public State of Nevada
No. 93-2508-1
My appt. exp. Nov. 18, 2008





VICINITY MAP

NTS.

TABULATION

APN: 125-24-404-007	
NET ACREAGE	1.79
SQ FTG OF LOTS	4512-7120 +/-
D.U.A.	4.47
OPEN SPACE	6,075 +/-
EXISTING ZONING	L
PROPOSED ZONING	

PLANT LIST

COMMON NAME	SIZE
TREES	
MONDEL PINES	24" BOX
CHORISTRINA ACACIA	" "
SHRUBS	
OCEAN SPRAY ORANGE	5 GAL.
INDIAN HAWTHORNE "MINNIE"	" "
FOUNTAIN GRASS	" "
ROSEMARY CREEPING	" "
EUONYMOUS "GOLD SPOT"	" "
JUNIPERS	" "
DAY LILLIES	1 "

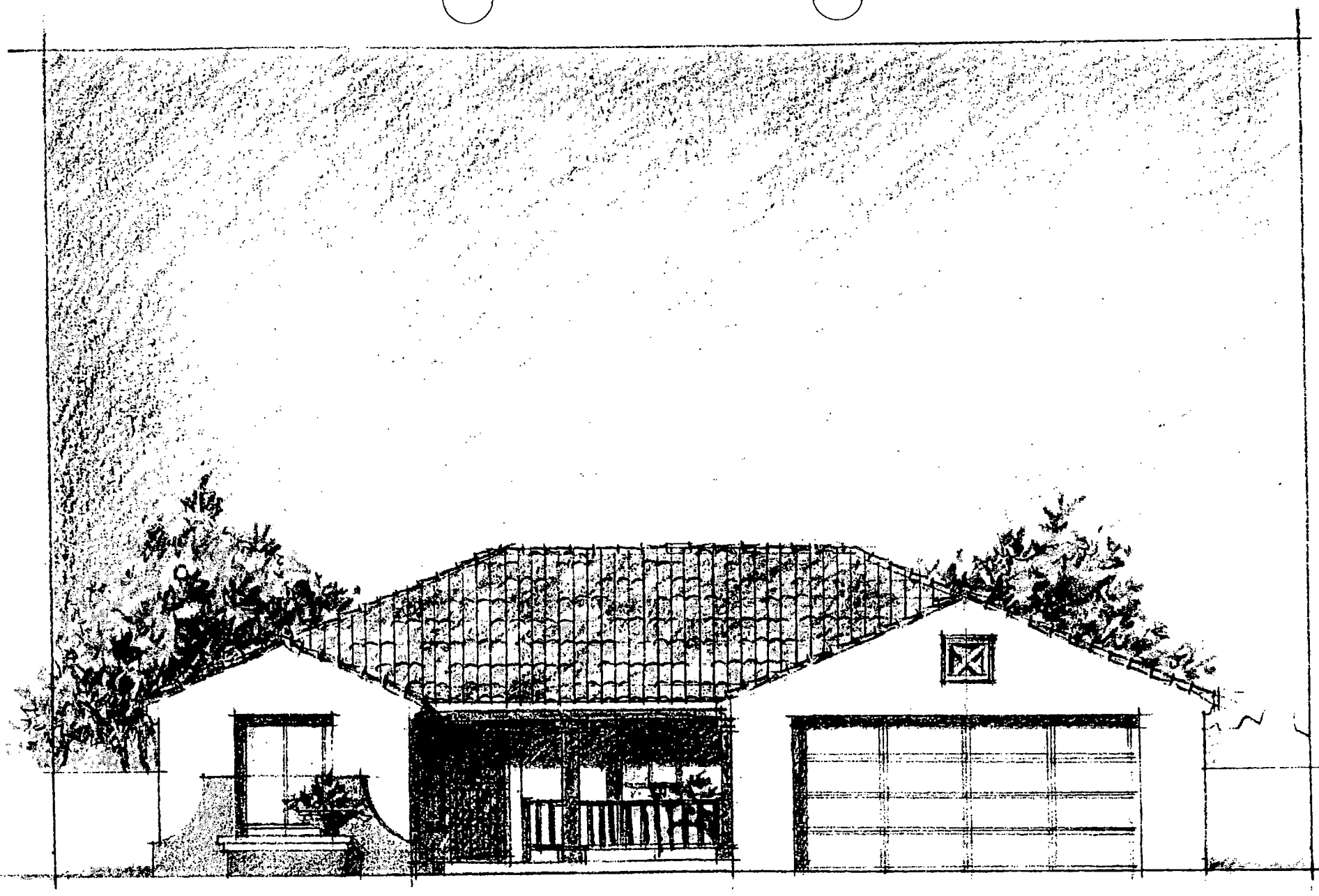
NOTE:
ALL GROUND COVER TO BE DECOMPOSED GRANITE OR CHAT (TYP.)

RECEIVED

SDR-6275
04/28/05 PC

CENTENNIAL / LEON 3/2005

SITE PLAN / LANDSCAPING

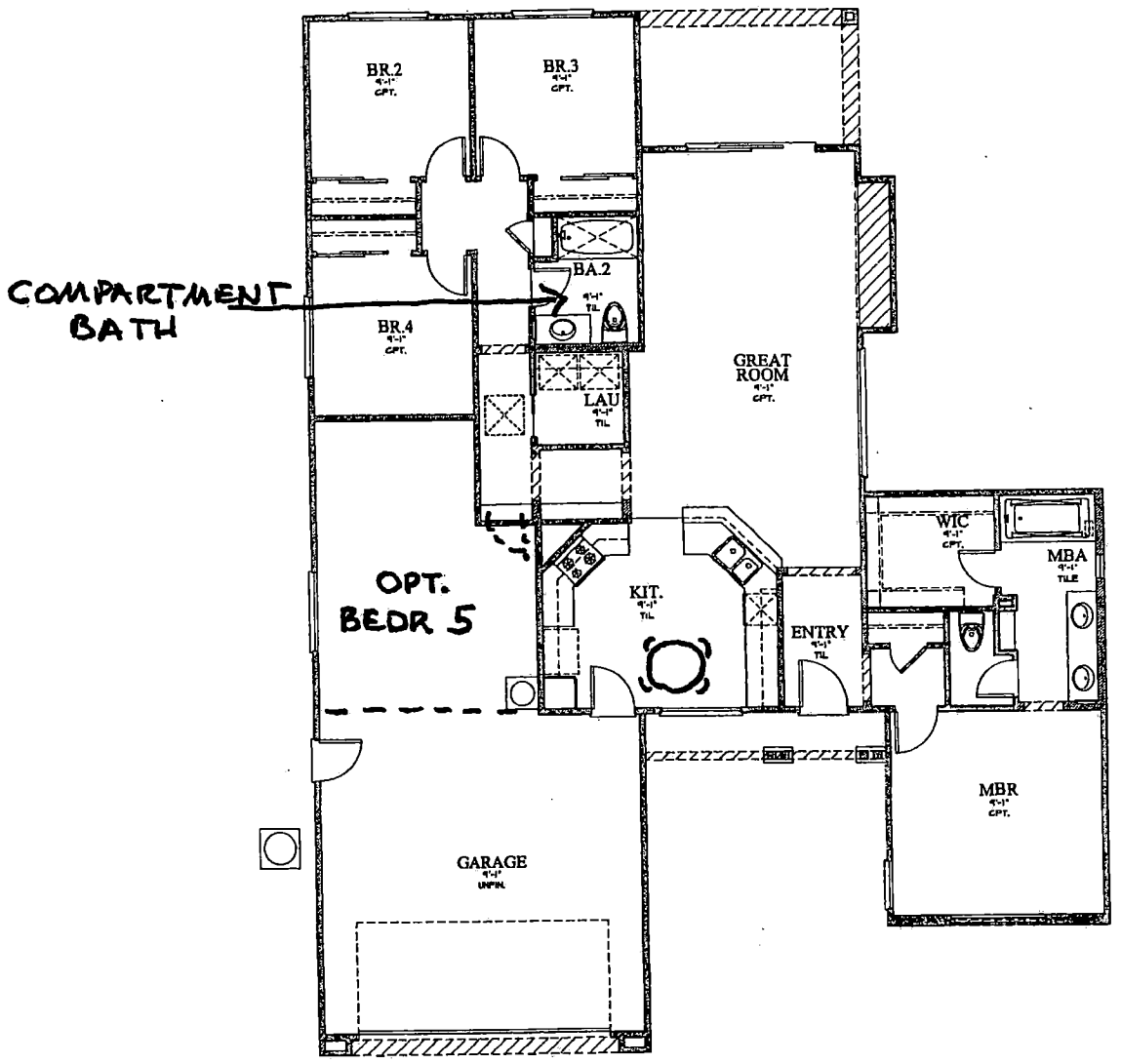


PLAN 3

MISSION

RECEIVED

SDR-6275
04/28/05 PC

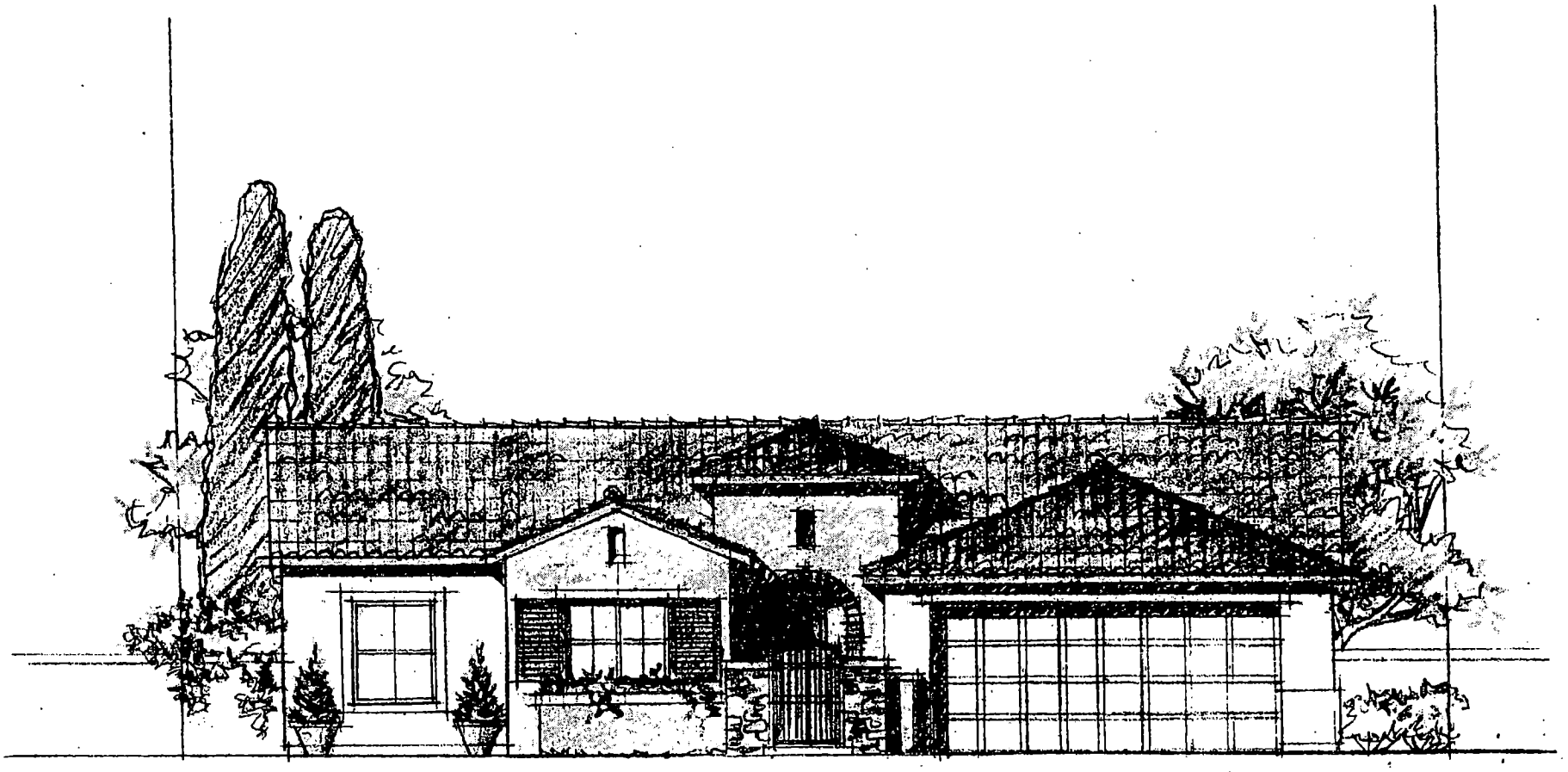


PARTIAL FLOOR PLAN | 618CR |

SEE FLOOR PLAN 2/ 1T. SHEET A-220 FOR ADDITIONAL NOTES AND INFORMATION

SDR-6275
04/28/05 PC

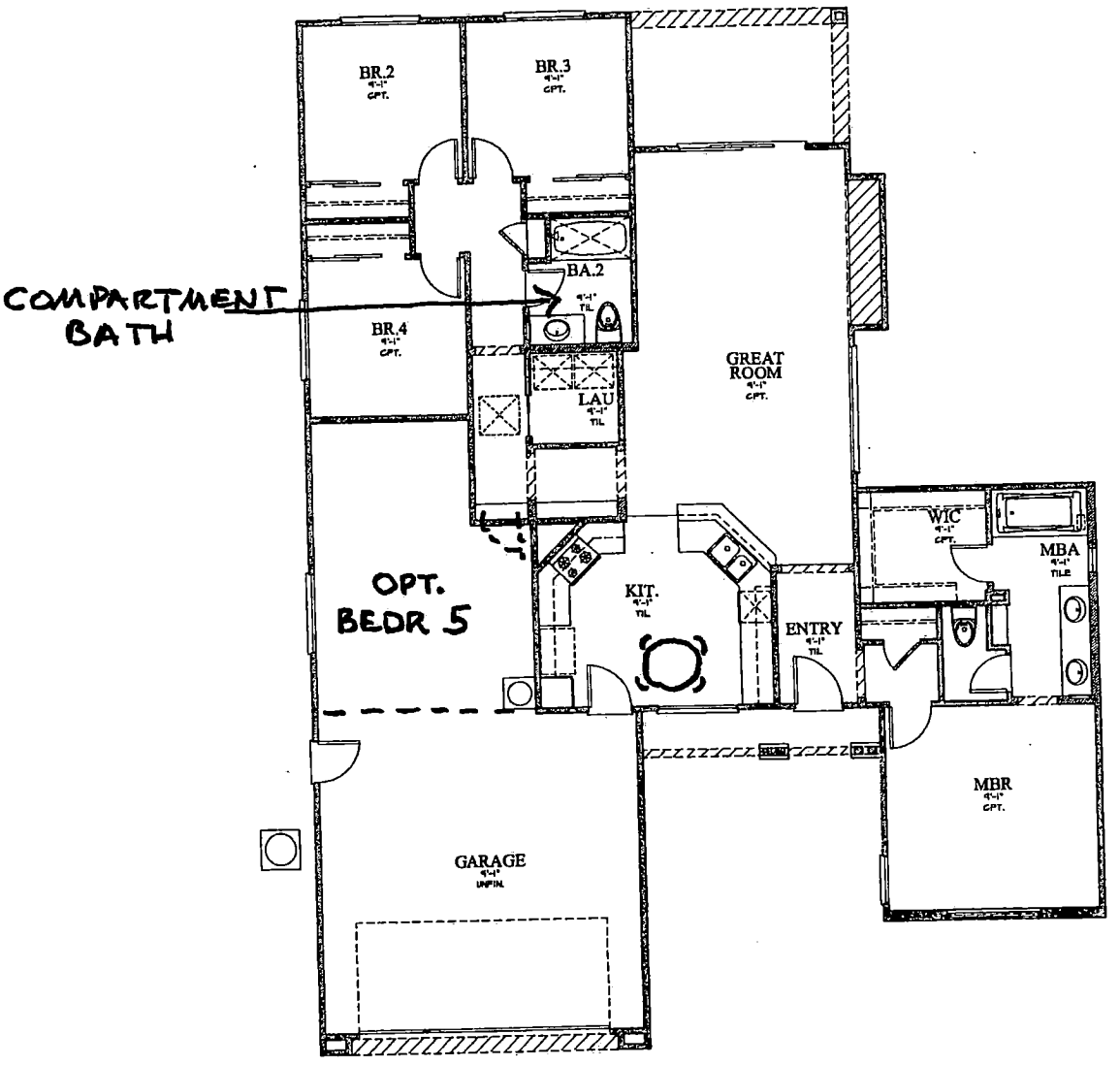
I:\2000-2009\2003\03002 Bakersfield\CADFILES\Plans\03002 Plan 2 Alt Lwr.dwg



PLAN 1 ITALIAN COUNTRY

SDR-6275
04/28/05 PC

RECEIVED



PARTIAL FLOOR PLAN 1618CR

SEE FLOOR PLAN 2/ IT. SHEET A-2.2.0 FOR ADDITIONAL NOTES AND INFORMATION

SDR-6275
04/28/05 PC

I:\2000-2009\2003\03002 Bakersfield\CADFILES\Plans\03002_Plan_2_Alt_Lwr.dwg



ZON-6274, VAR-6276, WVR-6277 & SDR-6275 - APPLICANT: ALL INVESTMENTS - OWNER: EXBER, INC.
NORTH SIDE OF CENTENNIAL PARKWAY, APPROXIMATELY 310 FEET EAST OF LEON AVENUE
APRIL 28, 2005 PLANNING COMMISSION

3/31/05

March 14, 2005

City of Las Vegas
731 S. Fourth Street
Las Vegas, NV 89101
Attention: Planning Department

RE: APN 125-24-104-007 REZONING, SITE DEVELOPMENT REVIEW, VARIANCE & WAIVER OF TITLE 18

To Whom it May Concern:

We at All Investments would like to request the following:

REZONING & SITE DEVELOPMENT REVIEW

Being that the subject property as noted herein is 1.79 acres net, we are proposing 8 single family lots @ 4.47 Dwelling Units per Acre (RPD4) which is compatible with the surrounding area.

WAIVER OF TITLE 18

Based on the size and shape of the subject property at 1.79 acres with a total of 8 single family lots, we are proposing private streets with a 3 point turn around in lieu of a cul-de-sac for Fire Department access. We believe that this meets the Fire Departments requirements for access. Furthermore, if a cul-de-sac were required, we would loose lots which would be an economic impact to the overall development of this proposed project.

If you have any questions, please feel free to call me at (702) 325-9503.

Sincerely,

Bill Roberts
933 Viscanio Place
Las Vegas, NV 89138

City of Las Vegas

Agenda Item No.: 69

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

ZON-6231 - REZONING - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE) on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	3	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

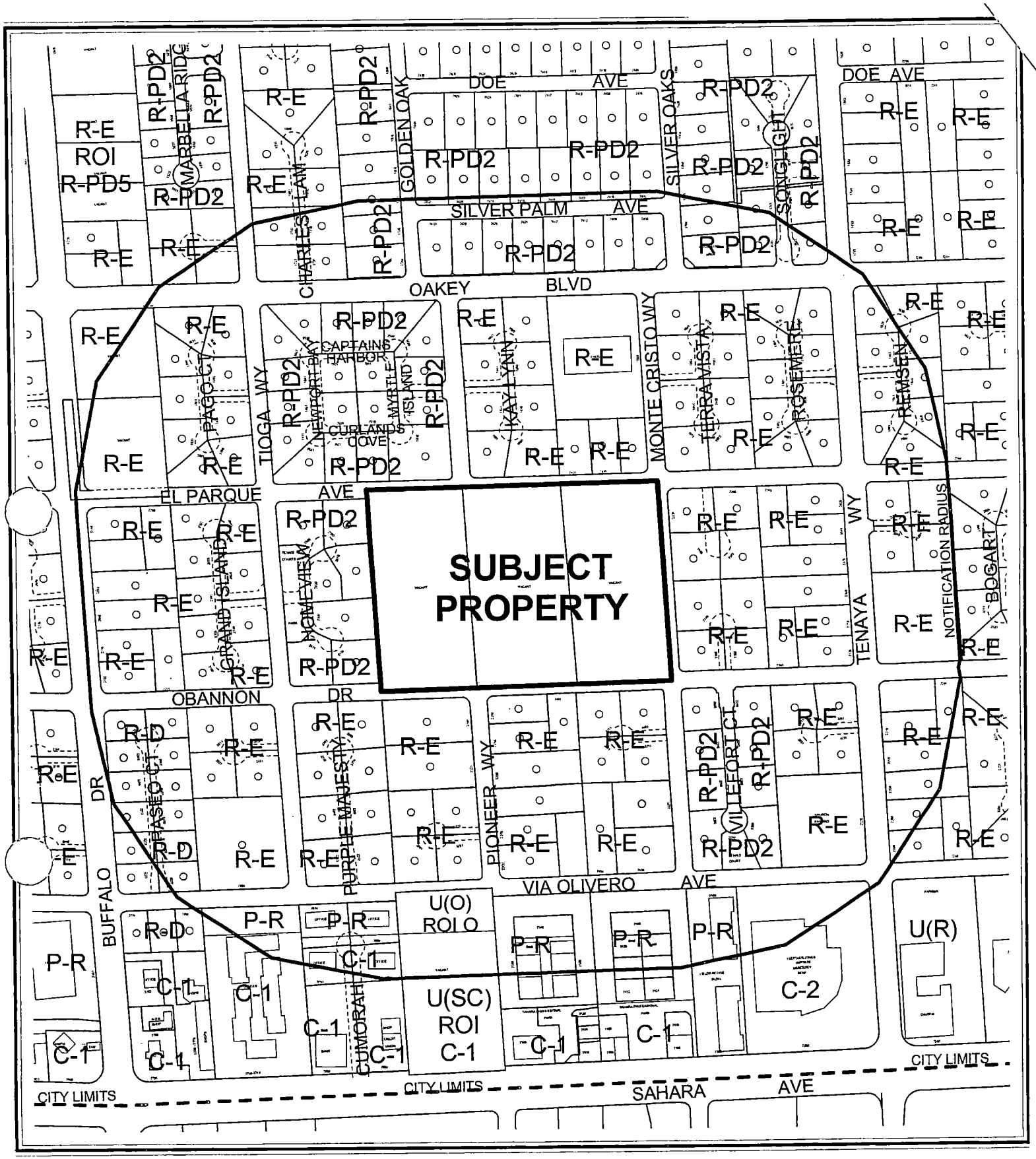
RECOMMENDATION:
Staff recommends DENIAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES
There was no discussion.

(6:04 – 6:20)



0 400 800 Feet

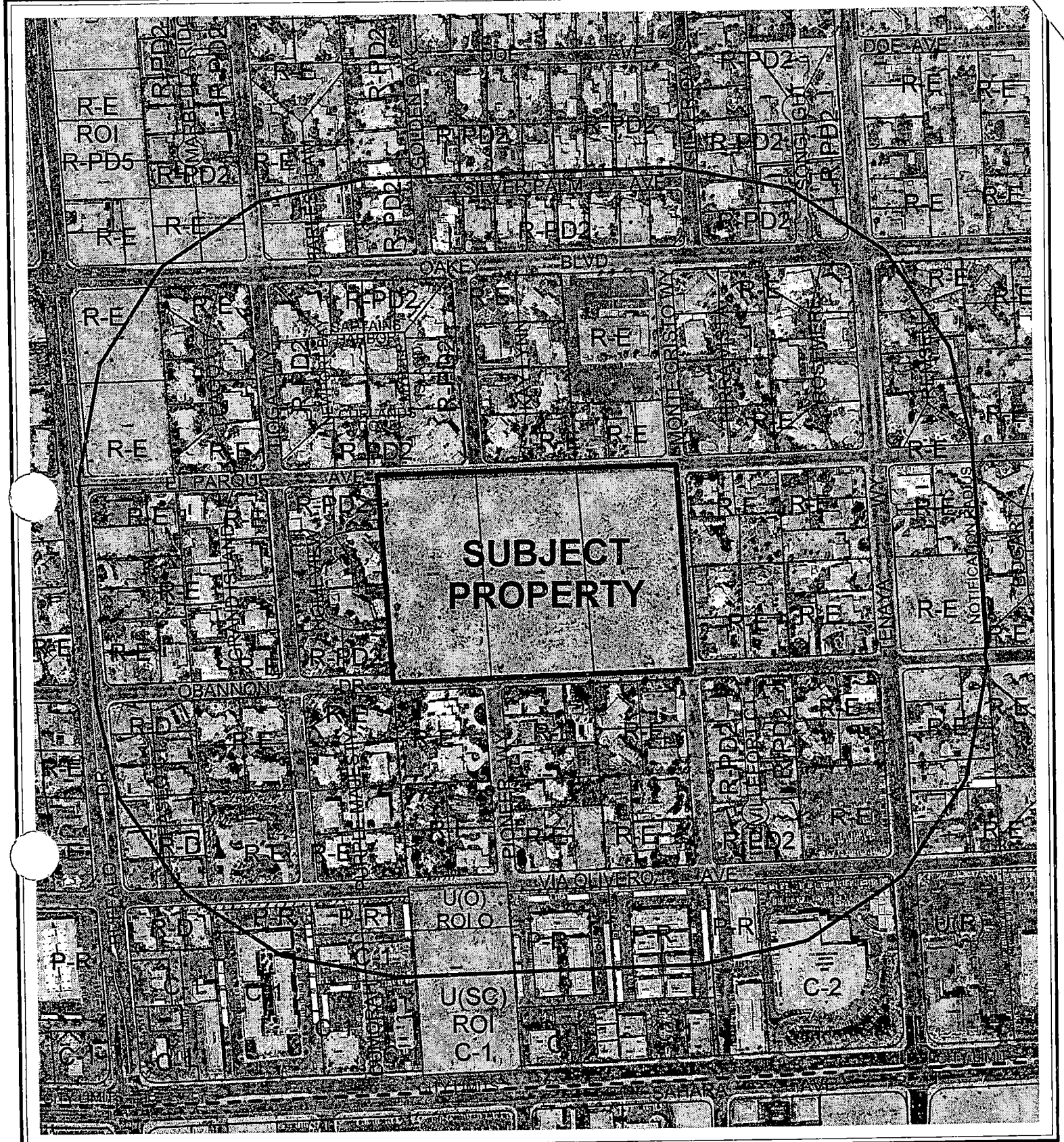
CASE: **ZON-6231**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N



CASE: **ZON-6231**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ZON-6231 - APPLICANT/OWNER: PLASIM HOMES, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

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

2. A Site Development Plan Review (SDR-6233) application approved by the Planning Commission or City Council prior to issuance of any permits, any site grading, and all development activity for the site.

Public Works

3. Dedicate 30 feet of right-of-way adjacent to this site for O'Bannon Drive, 30 feet for Monte Cristo Way, 30 feet for El Parque Avenue, a 15-foot radius on the northwest corner of O'Bannon Drive and Monte Cristo Way, and a 15-foot radius on the southwest corner of El Parque Avenue and Monte Cristo Way.

4. Construct half-street improvements on O'Bannon Drive (including appropriate transition paving), Monte Cristo Way, and El Parque Avenue adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

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 submittal 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.

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Rezoning to allow for the reclassification 16 acres of property generally located at the northwest corner of Monte Cristo Way and O'Bannon Drive from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 units per acre). This application will be heard in conjunction with a Site Development Plan Review (SDR-6233) application for a proposed 37-lot single-family residential development and a Variance (VAR-6232) application to allow zero square feet of open space where 26,450 square feet is the minimum required.

B) Applicant's Justification

The applicant states the proposed density of the project would be 2.31 dwelling units per acre and is bordered to the northwest and west by existing R-PD2 (Residential Planned Development – 2 units per acre) developments, and along the northeast, east, and south by existing R-E (Residence Estates) developments and single-family residences. The representative's client believes the proposed development is compatible with the surrounding area and will be enhancing the neighborhood.

BACKGROUND INFORMATION

A) Related Actions

03/05/86 The City Council approved an Annexation (A-0009-85) of 1,509 acres, of which this proposal is a part. The effective date was March 19, 1986. The Planning Commission and staff recommended approval on February 20, 1986.

11/23/98 The City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0027-98) on properties bounded by the Holmby Avenue Drainage Alignment, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). Final Action: November 24, 1998. The Planning Commission and staff recommended approval on October 28, 1998.

09/23/04 The Planning Commission tabled a Rezoning (ZON-4828) application for the reclassification of property from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 units per acre) on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

PL

09/23/04 The Planning Commission tabled a Site Development Plan Review (SDR-4837) application for a proposed 39-lot single-family residential subdivision on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

B) Pre-Application Meeting

02/18/05 A pre-application conference was held and resulted in the following comments:

1. The open space requirement was discussed.
2. The open space design guidelines were discussed.
3. Landscaping buffers and materials were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 16.0

B) Existing Land Use

Subject Property:	Undeveloped [Proposed 37-Lot Single-Family Residential Development]
North:	Single-Family Residences
South:	Single-Family Residences
East:	Single-Family Residences
West:	Single-Family Residences

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates) R-PD2 (Residential Planned Development - 2 units per acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-PD2 (Residential Planned Development - 2 units per acre)

E) General Plan Compliance

The subject site is currently designated with a DR (Desert Rural Density Residential) land use designation within the Southwest Sector Map of the General Plan. The predominant residential lifestyle within the DR (Desert Rural Density Residential) land use designation, as defined by the General Plan, is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some noncommercial raising of domestic animals. The proposed reclassification of the subject parcels to R-PD2 (Residential Planned Development - 2 units per acre), with a density of 2.31 dwelling units per acre, is in conformance with DR (Desert Rural Density Residential) land use designation of the General Plan.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		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

This subject site does not fall within the boundaries of any special area plans, special overlay districts, or affected by any trails.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

Development standards for a R-PD (Residential Planned Development) are determined during the site development plan review process. The Planning Commission and City Council will establish development standards through the consideration of the Site Development Plan Review (SDR-6233), a related item.

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
16.0 acres	2.31	1.65	3.795%	26,450 SF	Zero %	Zero SF

PL

The applicant fails to meet the required amount of open space set forth by the R-PD (Residential Planned Development) design standards. Therefore, the applicant has submitted a Variance (VAR-6232) request to allow zero open space where 0.6 acres is required.

B) General Analysis and Discussion

The proposed Rezoning is considered in conjunction with a Site Development Plan Review (SDR-6233), so as to be able to accommodate the number of dwelling units per acre requested and meet the intent of an R-PD (Residential Planned Development) zoning district. The site plan for the site fails to illustrate the required amount of open space, as dictated by Title 19.06. Per the Residential Planned Development standards a development with 100 lots, would require 1.65 acres of open space. The site plan as submitted indicates that the development will provide no open space. Subsequently, the applicant has filed for a Variance (VAR-6232) to allow omission of any open space requirement.

FINDINGS

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

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

   The proposal for a rezoning to R-PD2 (Residential Planned Development – 2 units per acre) is less the maximum density allowed by the General Plan; however, the proposed development is inconsistent with the neighborhood as the average size lots is smaller than the average size of neighboring parcels.

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 associated development that would ensue from the approval of Rezoning (ZON-6231) and Site Development Plan Review (SDR-6233) would not be compatible with the existing surrounding development, as the proposed project would inject approximately 12,000 square foot lots into a neighborhood of lots ranging in sizes from a half acre to more than one acre.

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

   The areas to the north, west, and northwest of this proposal had been zoned R-PD2 (Residential Planned Development – 2 unit per acre) in 1987 and 1988. However the established development pattern of the area does not warrant the density and type of development proposed for this project. The lots are smaller than currently exist and could result in long-term land use conflicts for this neighborhood.

PL

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 located between El Parque Avenue, O'Bannon Drive, and Monte Cristo Way; each of these is a 60-foot public residential street. These streets have the capacity to handle additional traffic from an R-PD2 (Residential Planned Development – 2 units per acre) zoning, but the noticeable increase in traffic would further erode the current Desert Rural character of the area.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 229 [Mailed with VAR-6232 and SDR-6233]

APPROVALS 0

PROTESTS 3

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: ZON-6231 APN: 163-03-302-004,005 & 006

Name of Property Owner: Plasim Homes LLC

Name of Applicant: L.R. Nelson Consulting Engineers

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 ____xx____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: Plasim Homes LLC

Subscribed and sworn before me

This 10th day of June, 2004

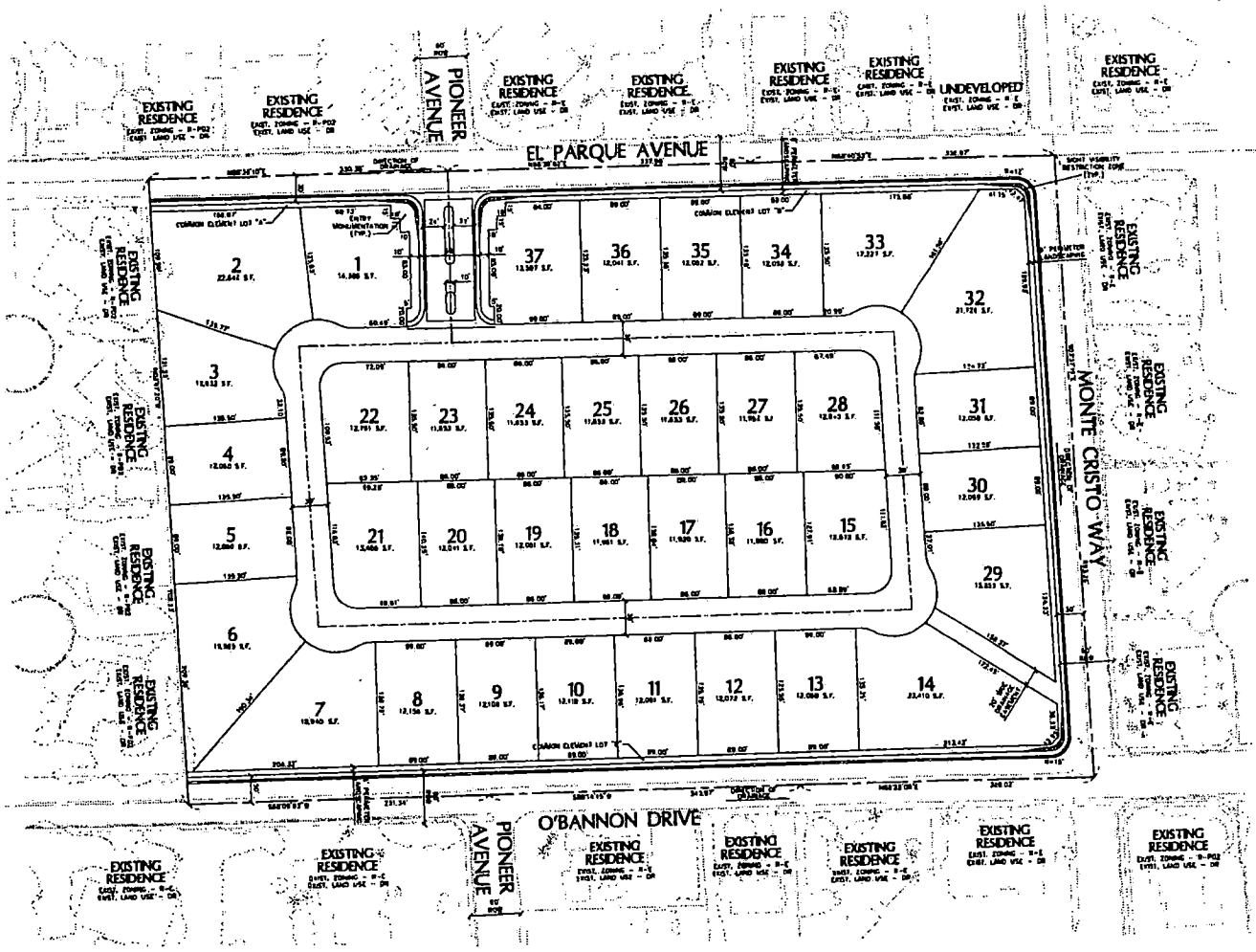
_____

Notary Public in and for said County and State

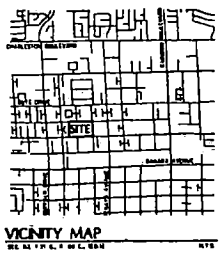
GWENDA L. HUEBNER
Notary Public State of Nevada
No. 97-1243-1
My appt. exp. Mar. 22, 2005

MONTE CRISTO/O'BANNON

A RESIDENTIAL PLANNED DEVELOPMENT



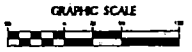
VICINITY MAP

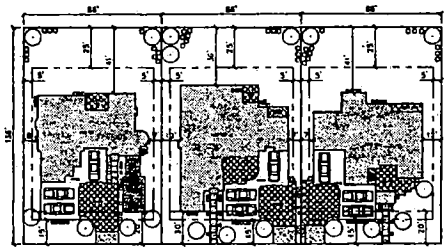


NORTH

1"=60'

GRAPHIC SCALE





TYP. LOT SETBACKS

(TYPICAL LOT SIZE 11,610 SQ. FT. +/-)
NOT TO SCALE

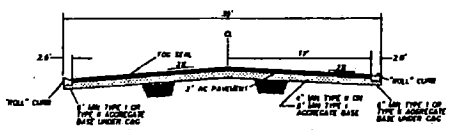
"FRONT:
GARAGE ..... 20'
SIDE LOAD GARAGE ..... 15'
BUILDING ..... 20'
REAR ..... 15'
SIDE ..... 5'
CORNER ..... 10'

TABULATION

APN #	163-03-302-004, 005 & 008
CURRENT ZONING	R-E
PROPOSED ZONING	R-PD2
ACREAGE	16.0 ACRES±
NUMBER OF UNITS	37
D.U.A.	2.31
OPEN SPACE REQ'D	29,685 S.F.
OPEN SPACE PRVD	0 S.F.

OWNER/DEVELOPER

PLASH HOMES, LLC
C/O MARK SEGAL
150 S. FOURTH STREET, STE. 300
LAS VEGAS, NV 89101
(702)382-3818



39' INT. PRIVATE STREET SECTION

NOTES:

ALL ONSITE STREET INTERSECTION RADII ARE 25' AS BACK OF CURB.

ALL PRIVATE STREETS ARE PUBLIC UTILITY EASEMENT AND CITY OF LAS VEGAS SEWER EASEMENT ALONG 8.5m PUBLIC DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

NO EXISTING STRUCTURES ARE LOCATED ON THIS PARCEL.

LEGAL DESCRIPTION

DESCRIPTION: BEING GOVERNMENT LOTS 6A, 6F AND 6G WITHIN SECTION 03, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY NEVADA.

ALSO KNOWN AS: 163-03-302-004, 005 & 008

CONTAINING 16.0 ACRES MORE OR LESS.

CONCEPTUAL LAYOUT P005

L. R. NELSON CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2296 FAX

DESIGNED BY: MCB | DRAWN BY: MCB | CHKD BY:
JOB NUMBER: 1364-001-041 | DATE: 03/03/05 | DATE (APP):
NO | REVISION

SITE DEVELOPMENT PLAN TO ACCOMPANY A ZONE CHANGE FOR
MONTE CRISTO/O'BANNON
A RESIDENTIAL PLANNED DEVELOPMENT
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
1
OF 1 SHEETS
1364-001-041

ZON-6231
04/28/05 PC

H:\Land Projects\1364001\dwg\Planning\Site Plan\SP-New.dwg, 3/3/2005 5:59:22 PM, Mark.Bangan

LARRY R. NELSON, P.E.
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Project Number: 1364-001-041

March 3, 2005

City of Las Vegas
Planning and Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: MONTE CRISTO/OBANNON – REZONING REQUEST, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN REVIEW AND VARIANCE - APN 163-03-302-004, 005 & 006

Dear Staff:

On behalf of our client, Plasim Homes, LLC, we are including this letter to provide information on the Rezoning Request, Site Development Plan Review, Special Use Permit and Variance being submitted for consideration on the above referenced project.

We are asking for this request to develop 16.0 acres of property located on the northwest corner of O'Bannon Drive and Monte Cristo Way as a Single Family Detached Development. This development would consist of thirty-seven (37) homes located on a sixteen-acre site. The proposed density would be 2.31 units/acre. The site is bordered to the west and northwest by existing R-PD2 developments and along the northeast, east, and south by existing R-E developments and single-family residences.

Our client is asking to utilize interior private streets with roll curb at a width of 39' from back of curb to back of curb.

Our Client feels that this proposed development is compatible with the surrounding area and will be an enhancement to the neighborhood. With this in mind, we would respectfully request approval of this Rezoning Request, Special Use Permit, Site Development Plan Review and Variance. If you have any questions or concerns, please contact this office at your convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Mark Bangan
Planning Manager

VADA
NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH
L.R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnslc@qwest.net

Telephone Protest/ Approval Log

Meeting Date: 4/28

Case Number: ZON-6231
VAR-6232 & SDR-6233

Date: 4-21-05
Name: Anna Williams
Address: 7451 O'Bannon Dr.

Phone: 363-9745
☒ **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**

From: awaarch@earthlink.net
To: Gary Reese , Larry Brown , Oscar Goodman , Lawrence Weekly , Michael Mack , Lois Tarkanian , Steve Wolfson
Cc: planninganddevelopment@lasvegasnevada.gov
Subject: Protest of VAR-6232, Zon-6231, SDR-6233
Date: Apr 21, 2005 9:08 PM

Re: Objection to VAR-6232, Zon-6231, SDR-6233

Dear Mayor Goodman, Councilwoman Tarkanian, Councilman Weekly, Councilman Wolfson, Councilman Reese, and Councilman Mack:

I respectfully ask for the denial of the above applications by Plasim Homes, LLC, because they are incompatible with the surrounding neighborhood and its uses for the following reasons:

1. This property was originally a BLM piece and was acquired by the developer last year at auction. The surrounding land on all sides has been developed with homes on much larger lots than have been proposed by Plasim LLC. The proposed development encompasses approximately 16 acres of space with a wall around the enti. perimeter and 37 large, repetitive, two-story, houses closely set together, approxi 5-8 feet to property line. The proposed development is not congruent with the surro and existing homes. The surrounding homes are spread out on much larger lots and have created the footprint of an open feeling in our neighborhood. This signature or footprint has set a precedent and defines our neighborhood with its individual, ranch-style homes on large lots.

2. The proposed development sits dead center in our neighborhood, completely surro by homes, and because of the proposed development's large scale and location, it will have a tremendous impact on the surrounding uses. All of the surrounding home owners will be subjected to looking at this huge, walled in compound with very litt. open space between each building. None of us want this. It will negatively and significantly change the nature of our neighborhood forever.

3. The request by the developer for a variance of the established open space requi. within this proposed development is unjustified. This large of a development needs open space, not only to provide better cohesion with the surrounding uses, but also to provide recreational use for the families within its confines. A variance of the open space will adversely affect this community.

We welcome development of this piece of property and hope that the developer will reconsider his design. However, if he does not, we ask for denial of the above referenced applications. Thank you for your service to our community.

Sincerely,
Anthony and Anna Williams

North half(N½) of SW¼ of section 3 Township 21 Range 60 east 6th P.M.

7450 E Parque Ave
Lone 80124 702 2282128

Planning Commission April 17 05

Concerning rezonning ZON-6231
" Variance JAR 6232
SDR 6233

We, Mei Hui Campbell and Wayne G Campbell objects the rezonning and variance proposed by Plasim Homes LLC.

We have lived here for 13 Plus years and are extremely confortable with the size of existing lots. The change will cause jamming of homes and congestion in our area.

We would only approve building of homes Custome-type in the 16 acre with existing zoning requirement and still comply with 26,450 sq feet minimin requirement.

Leave the RE alone.

We would look at a big block wall with houses jammed into one spot because one guy or LLC want to make a bunch of money on this deal and make all the existing residents suffer.

We will be calling a Tarbaneen to voice our objecteon too!

I used look at the map(to JAM 37 lots in this area destory this hole area)

Sincerly

Wayne E. Campbell

Mei Hui Campbell

City of Las Vegas

Agenda Item No.: 70

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

VAR-6232 - VARIANCE RELATED TO ZON-6231 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Variance TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 26,450 SQUARE FEET IS THE MINIMUM REQUIRED on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

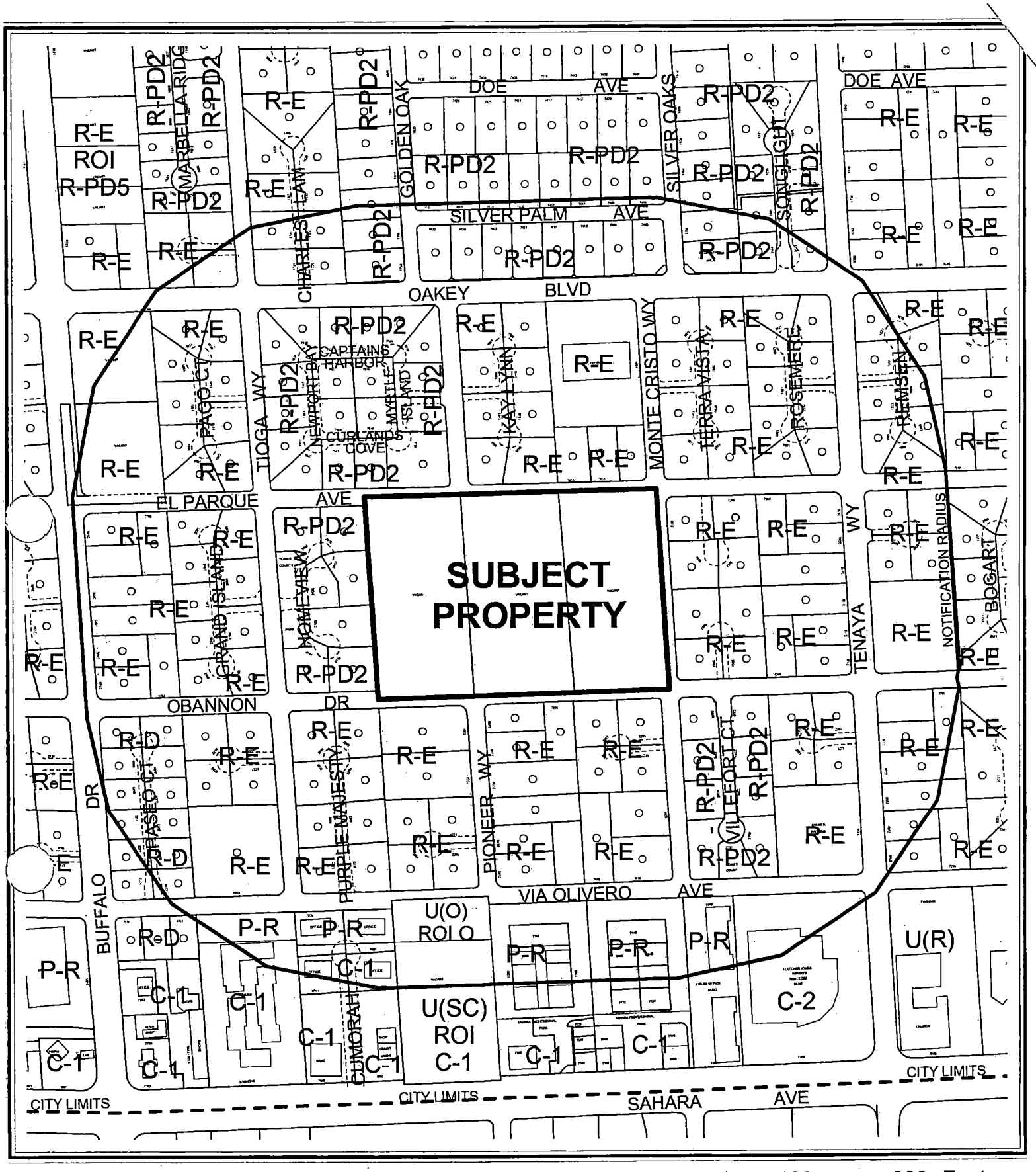
MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)



0 400 800 Feet

CASE: **VAR-6232**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: VAR-6232 - APPLICANT/OWNER: PLASIM HOMES, LLC

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6231) and Site Development Plan Review (SDR-6233).

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.

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for a Variance to allow zero square feet of open space where 26,450 square feet is the minimum required. This application will be considered in conjunction with a Rezoning (ZON-6231) application for the reclassification of property from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 units per acre) and a Site Development Plan Review (SDR-6233) application for a proposed 37-lot single-family residential development on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive.

B) Applicant's Justification

The applicant states the proposed density of the project would be 2.31 dwelling units per acre and is bordered to the northwest and west by existing R-PD2 (Residential Planned Development – 2 units per acre) developments, and along the northeast, east, and south by existing R-E (Residence Estates) developments and single-family residences. The representative's client believes the proposed development is compatible with the surrounding area and will be enhancing the neighborhood.

BACKGROUND INFORMATION

A) Related Actions

03/05/86	The City Council approved an Annexation (A-0009-85) of 1,509 acres, of which this proposal is a part. The effective date was March 19, 1986. The Planning Commission and staff recommended approval on February 20, 1986.
11/23/98	The City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0027-98) on properties bounded by the Holmby Avenue Drainage Alignment, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). Final Action: November 24, 1998. The Planning Commission and staff recommended approval on October 28, 1998.
09/23/04	The Planning Commission tabled a Rezoning (ZON-4828) application for the reclassification of property from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 units per acre) on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

PL

09/23/04 The Planning Commission tabled a Site Development Plan Review (SDR-4837) application for a proposed 39-lot single-family residential subdivision on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

B) Pre-Application Meeting

02/18/05 A pre-application conference was held and resulted in the following comments:

1. The open space requirement was discussed.
2. The open space design guidelines were discussed.
3. Landscaping buffers and materials were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: 16.0

B) Existing Land Use

Subject Property:	Undeveloped [Proposed 37-Lot Single-Family Residential Development]
North:	Single-Family Residences
South:	Single-Family Residences
East:	Single-Family Residences
West:	Single-Family Residences

C) Planned Land Use

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

D) Existing Zoning

Subject Property:	R-E (Residence Estates)
North:	R-E (Residence Estates) R-PD2 (Residential Planned Development - 2 units per acre)
South:	R-E (Residence Estates)
East:	R-E (Residence Estates)
West:	R-PD2 (Residential Planned Development - 2 units per acre)

PL

E) General Plan Compliance

The subject site is currently designated with a DR (Desert Rural Density Residential) land use designation within the Southwest Sector Map of the General Plan. With the approval of Rezoning (ZON-6231) application to reclassify the subject parcels to R-PD2 (Residential Planned Development - 2 units per acre), the proposed density of 2.31 units per acre is less than the maximum density and would be allowed within the DR (Desert Rural Density Residential) land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		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

This subject site does not fall within the boundaries of any special area plans, special overlay districts, or affected by any trails.

ANALYSIS

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	**Required**			**Provided**	
		Ratio	Percent	Area	Percent	Area
16.0 acres	2.3	1.65	3.795 %	26,450 SF	Zero %	Zero SF.

The applicant fails to meet the required amount of open space set forth by the R-PD (Residential Planned Development) design standards. The applicant is requesting zero open space to be provided where 26,450 square feet is required.

B) General Analysis and Discussion

The site plan for the site fails to illustrate the required amount of open space, as stipulated by Title 19.06. Per the Residential Planned Development standards, a development with 100 lots would require 1.65 acres of open space.

PL

FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship over building the subject site with small lots. Alternative site design with the incorporation of open space and fewer and larger lots would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site's physical characteristics, it is concluded that the applicant's hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 229 [Mailed with ZON-6231 and SDR-6233]

APPROVALS 0

PROTESTS 3

PL

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: VAR-6232 APN: 163-03-302-004,005 & 006

Name of Property Owner: Plasim Homes LLC

Name of Applicant: L.R. Nelson Consulting Engineers

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 ____XX____ 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: PLASim Homes LLc

Subscribed and sworn before me

This 10th day of June, 2004

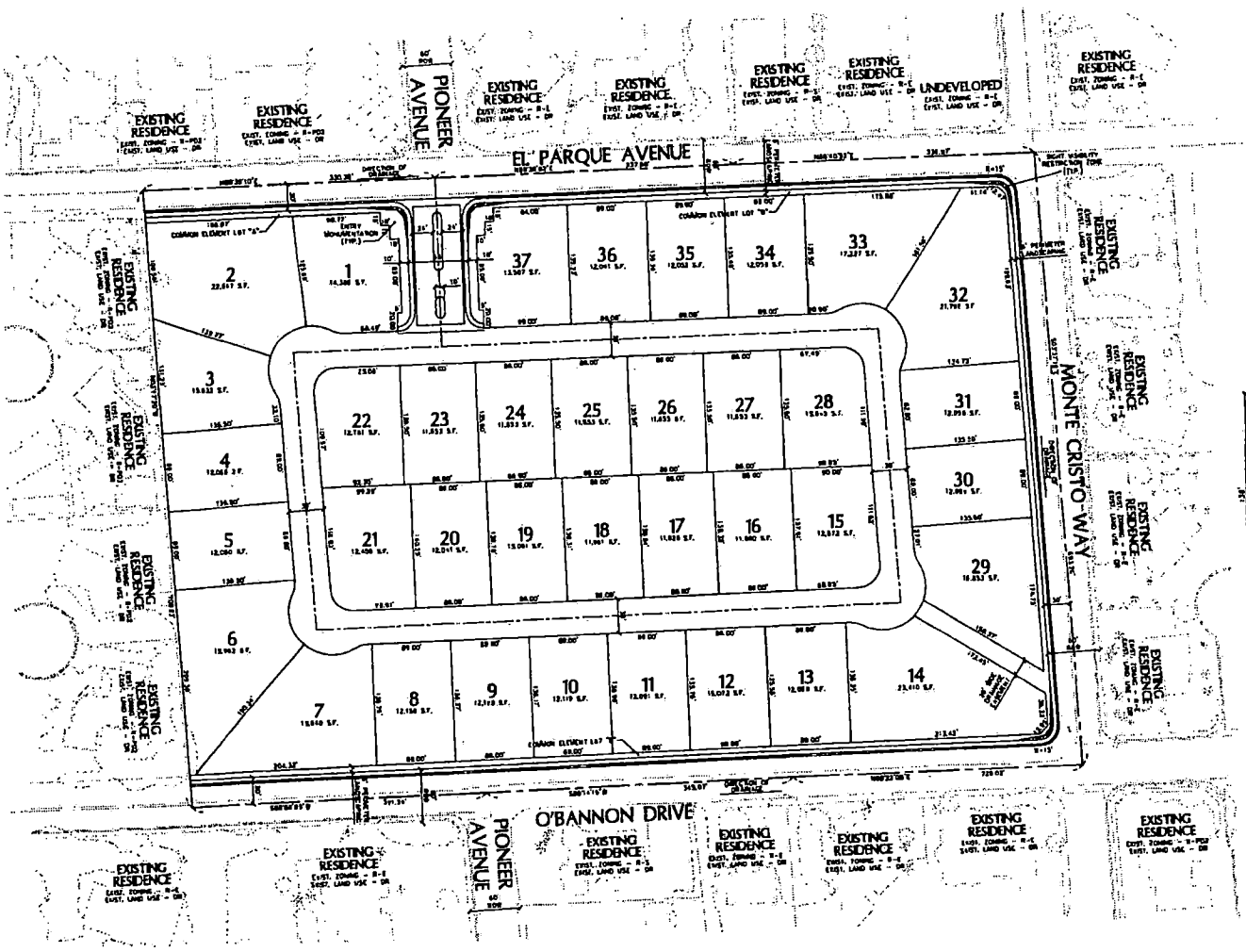
_____

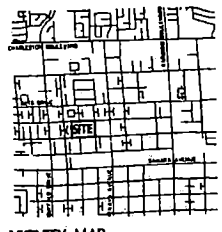
Notary Public in and for said County and State

GWENDA L. HUEBNER
Notary Public State of Nevada
No. 97-1243-1
My appt. exp. Mar. 22, 2005

MONTE CRISTO/O'BANNON

A RESIDENTIAL PLANNED DEVELOPMENT



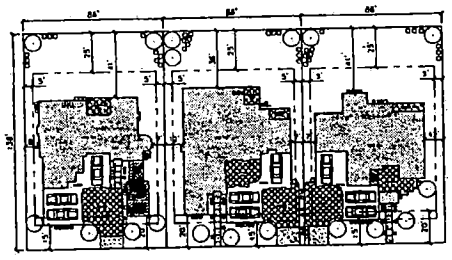


VICINITY MAP

NORTH

1"=80'

GRAPHIC SCALE



TYP. LOT SETBACKS

(TYPICAL LOT SIZE 11,810 SQ. FT. +/-)
NOT TO SCALE

*FRONT:
GARAGE ..... 20'
SIDELOADED GARAGE ..... 15'
BUILDING ..... 15'
REAR ..... 15'
SIDE ..... 5'
CORNER ..... 10'

TABULATION

APN #	163-03-302-004, 005 & 008
CURRENT ZONING	R-E
PROPOSED ZONING	R-PD2
ACREAGE	18.8 ACRES±
NUMBER OF UNITS	37
D.U.A.	3.31
OPEN SPACE REQ'D	28,485 S.F.
OPEN SPACE PRVD	0 S.F.

OWNER/DEVELOPER

PLASAI HOMES, LLC
C/O WAYNE SECAL
520 S. FOURTH STREET, STE. 300
LAS VEGAS, NV 89101
(702)382-1314

LEGAL DESCRIPTION

DESCRIPTION: BEING GENERALLY LOTS 66, 82 AND 86 WITHIN SECTION 03, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.B.&M., CLARK COUNTY NEVADA.

ALSO KNOWN AS: 163-07-302-004, 005 & 008

CONTAINING 18.8 ACRES MORE OR LESS



39' INT. PRIVATE STREET SECTION

NOTES:

ALL ONSITE STREET INTERSECTION RADII ARE 25' AT BACK OF CURB.

ALL PRIVATE STREETS ARE PUBLIC UTILITY EASEMENT AND CITY OF LAS VEGAS SEWER EASEMENT ALONG WITH PUBLIC DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

NO EXISTING STRUCTURES ARE LOCATED ON THIS PARCEL.

CONCEPTUAL LAYOUT #003

L. R. NELSON CONSULTING ENGINEERS, INC.
6755 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2216 FAX

SITE DEVELOPMENT PLAN TO ACCOMPANY A ZONE CHANGE FOR
MONTE CRISTO/O'BANNON
A RESIDENTIAL PLANNED DEVELOPMENT
CITY OF LAS VEGAS NEVADA

SHEET NUMBER
1
OF 1 SHEETS
1364-001-041

VAR-6232
04/28/05 PC

H:\Land Projects\1364001\dwg\Planning\Site Plan\SP-New.dwg, 3/3/2005 5:59:22 PM, Mark.Bangan

L. R. NELSON CONSULTING ENGINEERS

LARRY R. NELSON, P.E.
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

NEVADA
L.R. NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811
Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH
L.R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008
Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnslc@qwest.net

Project Number: 1364-001-041

March 3, 2005

City of Las Vegas
Planning and Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: MONTE CRISTO/OBANNON – REZONING REQUEST, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN REVIEW AND VARIANCE - APN 163-03-302-004, 005 & 006

Dear Staff:

On behalf of our client, Plasim Homes, LLC, we are including this letter to provide information on the Rezoning Request, Site Development Plan Review, Special Use Permit and Variance being submitted for consideration on the above referenced project.

We are asking for this request to develop 16.0 acres of property located on the northwest corner of O'Bannon Drive and Monte Cristo Way as a Single Family Detached Development. This development would consist of thirty-seven (37) homes located on a sixteen-acre site. The proposed density would be 2.31 units/acre. The site is bordered to the west and northwest by existing R-PD2 developments and along the northeast, east, and south by existing R-E developments and single-family residences.

Our client is asking to utilize interior private streets with roll curb at a width of 39' from back of curb to back of curb.

Our Client feels that this proposed development is compatible with the surrounding area and will be an enhancement to the neighborhood. With this in mind, we would respectfully request approval of this Rezoning Request, Special Use Permit, Site Development Plan Review and Variance. If you have any questions or concerns, please contact this office at your convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Mark Bangan
Planning Manager

Telephone Protest/ Approval Log

Meeting Date: 4/28 **Case Number:** ZON-6231
VAR-6232 & SDR-6233

Date: 4-21-05.
Name: Anna Williams
Address: 7451 O'Bannon Dr.

Phone: 363-9745
☒ **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**

From: awaarch@earthlink.net
To: Gary Reese , Larry Brown , Oscar Goodman , Lawrence Weekly , Michael Mack , Lois Tark Steve Wolfson
Cc: planninganddevelopment@lasvegasnevada.gov
Subject: Protest of VAR-6232, Zon-6231, SDR-6233
Date: Apr 21, 2005 9:08 PM

Re: Objection to VAR-6232, Zon-6231, SDR-6233

Dear Mayor Goodman, Councilwoman Tarkanian, Councilman Weekly, Councilman Wolfson, Councilman Reese, and Councilman Mack:

I respectfully ask for the denial of the above applications by Plasim Homes, LLC, because they are incompatible with the surrounding neighborhood and its uses for the following reasons:

1. This property was originally a BLM piece and was acquired by the developer last year at auction. The surrounding land on all sides has been developed with homes on much larger lots than have been proposed by Plasim LLC. The proposed development encompasses approximately 16 acres of space with a wall around the enti. perimeter and 37 large, repetitive, two-story, houses closely set together, approxi 5-8 feet to property line. The proposed development is not congruent with the surro and existing homes. The surrounding homes are spread out on much larger lots and have created the footprint of an open feeling in our neighborhood. This signature or footprint has set a precedent and defines our neighborhood with its individual, ranch-style homes on large lots.

2. The proposed development sits dead center in our neighborhood, completely surro by homes, and because of the proposed development's large scale and location, it will have a tremendous impact on the surrounding uses. All of the surrounding home owners will be subjected to looking at this huge, walled in compound with very litt. open space between each building. None of us want this. It will negatively and significantly change the nature of our neighborhood forever.

3. The request by the developer for a variance of the established open space requi. within this proposed development is unjustified. This large of a development needs open space, not only to provide better cohesion with the surrounding uses, but also to provide recreational use for the families within its confines. A variance of the open space will adversely affect this community.

We welcome development of this piece of property and hope that the developer will reconsider his design. However, if he does not, we ask for denial of the above referenced applications. Thank you for your service to our community.

Sincerely,
Anthony and Anna Williams

North half(N½) of SW¼ of section 3 Township 21 Range 60 east m.p.m.

7450 E Parque Ave
Lo NJ 84117 702 2282128

Planning Commission April 17 05

Concerning rezonning ZON-6231
" Variance JAR 6232
SDR 6233

We, Mei Hui Campbell and Wayne G Campbell objectto the rezonning and variance proposed by Plasim Homes LLC.

We have lived here for 13 Plees years and are extremely confortable with the size of efisting lots. The change will cause jamming of homes and congestion in our area.

We would only approve building of homes Custome-type in the 16 acre with epristing zonning requirment and still comply with 26,450 sq feet minimin requirement.

Leave the RE alone.

We would loOk at a big block wall with houses jammed into one spot because one guy or LLC wants to make a bunch of money on this deal and make all the existing residents seffer.

We will be calling a Tarbaneen to voice our objecteon too!

I need look at the map(to JAM 37 lots in this area destory this hole area)

Sincerly

Wayne E. Campbell

Mei Hui Campbell

City of Las Vegas

Agenda Item No.: 71

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:

SDR-6233 - SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-6231 AND VAR-6232 - PUBLIC HEARING - APPLICANT/OWNER: PLASIM HOMES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 37 LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 16.00 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive (APNs 163-03-302-004, 005 and 006), R-E (Residence Estates) Zone [PROPOSED: R-PD2 (Residential Planned Development - 2 units per acre) Zone], Ward 1 (Tarkanian).

C.C.: 06/01/05

PROTESTS RECEIVED BEFORE:		APPROVALS RECEIVED BEFORE:	
Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting		City Council Meeting	

RECOMMENDATION:

Staff recommends DENIAL.

BACKUP DOCUMENTATION:

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

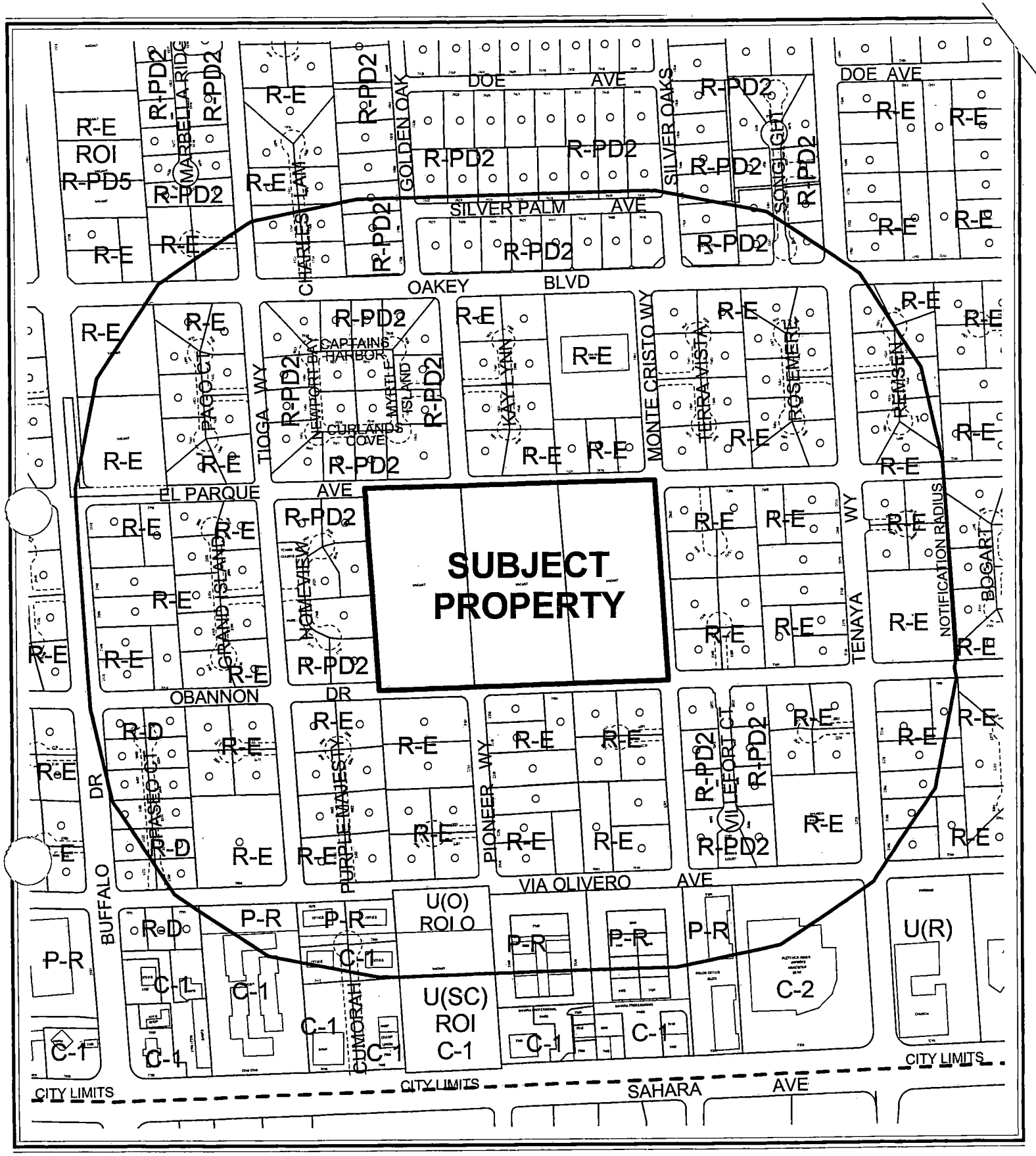
MOTION:

McSWAIN – Motion to bring forward and HOLD IN ABEYANCE Item 23 [GPA-6363], Item 25 [MSH-6024], Item 56 [GPA-6333], Item 57 [ZON-6334], Item 58 [VAC-6163], Item 59 [SDR-6336], Item 69 [ZON-6231], Item 70 [VAR-6232], Item 71 [SDR-6233] and Item 89 [TXT-6421] to the 05/12/2005 Planning Commission Meeting; Item 19 [GPA-6273] to the 05/26/2005 Planning Commission Meeting; TABLE Item 5 [VAC-5793], Item 9 [MOD-5784], Item 10 [ZON-5785], Item 11 [VAR-5786], Item 12 [VAR-5792], Item 13 [SDR-5781] and Item 14 [ZON-5669]; WITHDRAW WITHOUT PREJUDICE Item 18 [GPA-6270] – UNANIMOUS with EVANS and STEINMAN excused

MINUTES

There was no discussion.

(6:04 – 6:20)



0 400 800 Feet

CASE: **SDR-6233**

RADIUS: 1000 FT

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

PROPOSED ZONING OF SUBJECT PROPERTY:
R-PD2 (RESIDENTIAL PLANNED DEVELOPMENT - 2 UNITS PER ACRE)

N

City of Las Vegas

AGENDA MEMO

PLANNING COMMISSION MEETING DATE: APRIL 28, 2005
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC.

** CONDITIONS **

STAFF RECOMMENDATION: **DENIAL.** If Approved, subject to:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-6231) and Variance (VAR-6232).

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

3. All development shall be in conformance with the site plan, landscape plan and building elevations, dated stamped 03/04/05, except as amended by conditions herein.

4. The setbacks for this development are a minimum of 20 feet to garage, 15 feet to the side loaded garage, 20 feet to the front of the house, 5 feet on the side, 10 feet to the corner side and 25 feet in the rear.

5. The maximum building height allowed shall not exceed 2 stories or 35 feet whichever is less.

6. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect the removal of common landscape areas located along proposed lots 15, 21, 22 and 28, as no common lot exists on the site plan. Additionally, the landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect a landscape legend with unique symbols correlated to an individual plant species as well as size.

7. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.

8. A landscaping plan must be submitted prior to or at the same time application is made for a building permit.

PL

9. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission or City Council and shall be permanently maintained in a satisfactory manner.

10. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

11. Air conditioning units shall not be mounted on rooftops.

12. All utility boxes exceeding 27 cubic feet in size shall meet the standards of Title 19.12.050.

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

Public Works

14. The proposed gated access driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

15. 'A Homeowners' Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

16. Site development to comply with all applicable conditions of approval for ZON-6231 and all other subsequent site-related actions.

17. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.

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

PL

** STAFF REPORT **

APPLICATION REQUEST

A) Action Requested

This is a request for Site Development Plan Review for a proposed 37-lot single-family residential development on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. This item will be heard in conjunction with a Rezoning (ZON-6231) application for the reclassification of property from R-E (Residence Estates) to R-PD2 (Residential Planned Development – 2 units per acre) and a Variance (VAR-6232) application to allow zero square feet of open space where 26,450 square feet is the minimum required on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive.

B) Applicant's Justification

The applicant states the proposed density of the project would be 2.31 dwelling units per acre and is bordered to the northwest and west by existing R-PD2 (Residential Planned Development – 2 units per acre) developments, and along the northeast, east, and south by existing R-E (Residence Estates) developments and single-family residences. The representative's client believes the proposed development is compatible with the surrounding area and will be enhancing the neighborhood.

BACKGROUND INFORMATION

A) Related Actions

03/05/86	The City Council approved an Annexation (A-0009-85) of 1,509 acres, of which this proposal is a part. The effective date was 03/19/86. The Planning Commission and staff recommended approval on 02/20/86.
11/23/98	The City Council approved a request to amend a portion of the Southwest Sector of the General Plan (GPA-0027-98) on properties bounded by the Holmby Avenue Drainage Alignment, Via Olivero Avenue, Rainbow Boulevard, and Durango Drive from R (Rural Density Residential) to DR (Desert Rural Density Residential). The Planning Commission and staff recommended approval on 10/28/98.

PL

09/23/04 The Planning Commission tabled a Rezoning (ZON-4828) application for the reclassification of property from R-E (Residence Estates) to R-PD2 (Residential Planned Development - 2 units per acre) on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

09/23/04 The Planning Commission tabled a Site Development Plan Review (SDR-4837) application for a proposed 39-lot single-family residential subdivision on 16 acres adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Staff recommended denial. * The application was subject a condition with a 90-day time limit. *

B) Pre-Application Meeting

02/18/05 A pre-application conference was held and resulted in the following comments:

1. The open space requirement was discussed.
2. The open space design guidelines were discussed.
3. Landscaping buffers and materials were discussed.

C) Neighborhood Meetings

A neighborhood meeting is not required for this type of application, nor was one held.

DETAILS OF APPLICATION REQUEST

A) Site Area

Gross Acres: Gross Acres: 16.0

B) Existing Land Use

Subject Property:	Undeveloped [Proposed 37-Lot Single-Family Residential Development]
North:	Single-Family Residences
South:	Single-Family Residences
East:	Single-Family Residences
West:	Single-Family Residences

C) Planned Land Use

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

PL

D) Existing Zoning

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

E) General Plan Compliance

The subject site is currently designated with a DR (Desert Rural Density Residential) land use designation within the Southwest Sector Map of the General Plan. With the approval of Rezoning (ZON-6231) application to reclassify the subject parcels to R-PD2 (Residential Planned Development - 2 Units Per Acre), the proposed density of 2.31 dwelling units per acre is less than the maximum density and would be allowed within the DR (Desert Rural Density Residential) land use designation.

SPECIAL DISTRICTS/ZONES	Yes	No
Special Area Plan		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

This subject site does not fall within the boundaries of any special area plans, special overlay districts, or affected by any trails.

PROJECT DESCRIPTION

The proposed project is a 37-lot single-family residential development on 16 acres located adjacent to the northwest corner of Monte Cristo Way and O'Bannon Drive. Access to the site will be from northern portion of the site from El Parque Avenue, a 60-foot public street, through a gated entrance. The proposed development will consist of lots ranging from approximately 11,653 to 23,410 square feet, which results in a density of 2.31 dwelling units per acre. Based on R-PD (Residential Planned Development) standards such a density would require 0.6 acres of open space to be supplied for the purpose of public use or enjoyment. The supplied site plan indicates zero open space being provided. The applicant has filed a Variance (VAR-6232) application for the lack of any open space through out the entire development.

The models being presented consist of only two story buildings, roughly 28 to 29 feet in height. Two different floor plans for are being presented ranging in square footage from 5,335 to 6,081 square feet. Of the Two models both contain options for patio covers and an option for a balcony/deck. Each model has the option between three different elevations.

PL

The proposed development calls for a six-foot landscape buffer along the north, east and south perimeters of the property. A perimeter wall composed of two alternating segments types then abuts the landscape buffer. First of the two segments is composed of a six-foot high stucco covered masonry wall, the second is a seven-foot high CMU wall with one course of split face block. Both wall segments will have a pre-cast concrete cap.

ANALYSIS

A) Zoning Code Compliance

A1) Development Standards

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

Standards	Proposed	Acceptable
Minimum Lot Size	11,653 SF	N
Largest Lot Size	23,410 SF	Y
Typical Lot Size	11,610 SF	N
Min. Setbacks		
• Front	20 Feet	Y
• Front Garage	20 Feet	Y
• Side Loaded Garage	15 Feet	Y
• Side	5 Feet	Y
• Corner Side	10 Feet	Y
• Rear	25 Feet	Y
Max. Building Height	2 Stories / 29 Feet	Y

The larger lots of 20,000 square feet and greater would be appropriate for such a development, however the majority of the lots proposed are approximately 12,000 square feet in size, which leads to the development incompatible with existing surrounding development. The proposed setbacks and building height are appropriate for a residential project of this nature.

A2) Residential Adjacency Standards

Pursuant to Title 19.08.060, the Residential Adjacency Standards do not apply to the subject proposal.

A3) Parking and Traffic Standards

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

Uses	Required		Provided
	Ratio	Parking Regular	Parking Regular
Single Family, Detached	2 Spaces / Dwelling Unit	2	3

The product to be placed within the proposed development includes a two-car garage, as well as a one-car garage as part of the first-floor floor plan. Therefore, the proposed development would exceed the number of required parking spaces on 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	Zero Trees	128 Trees
• Min. Zone Width	Zero Feet		6 Feet
• Wall height	6 to 8 Feet		6 & 7 Feet

The proposed development is bordered on three sides by public right-of-way. Abutting each right-of-way is a five-foot sidewalk followed by a six-foot landscape buffer with trees spaced 20 feet on center. As El Parque Avenue, Monte Cristo Way and O'Bannon Drive are not Primary nor Secondary thoroughfares properties developing along them are not required to provide a landscape buffer. The providing of such landscaping is an asset to the surrounding neighborhood and should remain.

Interior to the site the landscape plan calls for a minimum of two front yard trees per lot, as well as common area landscaping with informal tree groupings. The latter of the two proposals is problematic, in that the site plan does not depict any common lots where the landscape plan calls for said landscaping. Additionally, the landscape plan itself is problematic since the supplied legend refers one symbol to anywhere from two to six tree species, as well as the legend does not give reference to material size.

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
16.0 acres	2.3	1.65	3.795 %	26,450 SF	Zero %	Zero SF.

The applicant has applied for a Variance (VAR-6232) to allow zero open space where 26,450 square feet is required for the proposed 37-lot single-family residential development.

B) General Analysis and Discussion

- Zoning

While under the maximum density allowed in the DR (Desert Rural) land use category of the General Plan, the proposed project depicted for the R-PD2 (Residential Planned Development – 2 units per acre) zoning district is out of character with the surrounding area. The development is a more intense residential use than currently exists in the neighborhood, as it presents a walled community with two-story homes and smaller lots than what would be considered compatible in this area of the City.

- Site Plan

The proposed site plan depicts a 37-lot single-family residential gated development with access from El Parque Avenue. Lot sizes range from 11,653 to 23,410 square feet in size, with the majority of the lots being approximately 12,000 square feet in size. Internal circulation of the site will be accomplished via a 39-foot wide private street with "roll" curbing. Additionally, the site plan depicts a six-foot landscape buffer along the north, east and south perimeters of the property.

- Waivers

The proposed development is not requesting any waivers, but is requesting a Variance (VAR-6232) to allow for zero square feet of open space where 26,450 square feet is required.

- Landscape Plan

The proposed landscape plan depicts a six-foot landscape buffer along the north, east and south perimeters of the property, as well as a common landscape area internal to the site. However, the internal common landscape area is not depicted as a common lot within the site plan, therefore this application will be conditioned so that the landscape plan be corrected. Additionally, the landscape plan itself is problematic since the supplied legend refers one symbol to anywhere from two to six tree species, as well as the legend does not give reference to material size. Therefore this application will be conditioned to correct the above-mentioned deficiencies.

PL

- Elevation

  The models being presented consist of only two story buildings, roughly 28 to 29 feet in height. Each model has the option between three different elevations.

- Floor Plan

  Two different floor plans for are being presented ranging in square footage from 5,335 to 6,081 square feet. Of the Two models both contain options for patio covers and an option for a balcony/deck.

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 surrounding area is predominantly zoned R-E (Residence Estates) and primarily consists of horse properties and resort style residences, with the unifying characteristic of homes on large lots. The proposed development is principally a walled-in, relatively densely packed residential subdivision and is not compatible with adjacent development.

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

   The proposed development is not consistent with the development standards and guidelines set forth by Title 19 for the creation of an R-PD (Residential Planned Development) as is evident by the associated Variance (VAR-6232) application to allow for zero open space.

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

   The site is located between El Parque Avenue, O'Bannon Drive, and Monte Cristo Way; all 60-foot public residential streets. These streets have the capacity to handle additional traffic from an R-PD2 (Residential Planned Development – 2 Units Per Acre) zoning, but the noticeable increase in traffic would further erode the current Desert Rural character of the area.

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

Building and landscape materials are appropriate for the areas and for the City. Drought-tolerant landscaping, finished block walls, and wrought iron entry gates all conform to other development in this area of the city.

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

   Aesthetic, design and architectural features of this proposal on their own would not be undesirable, but the sheer scale of the homes and their tight proximity to each other make for a clear incompatibility with development in the area.

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

   The development will be subject to inspections as the development progresses that will secure and protect the health, safety, and general welfare of the public.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 8

NOTICES MAILED 229 [Mailed with ZON-6231 and VAR-6232]

APPROVALS 0

PROTESTS 3

PL

PLANNING & DEVELOPMENT

DEVELOPMENT SERVICES CENTER

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-6233** APN: 163-03-302-004,005 & 006

Name of Property Owner: Plasim Homes LLC

Name of Applicant: L.R. Nelson Consulting Engineers

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 ____XX____ 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: PLASim Homes LLC

Subscribed and sworn before me

This 10th day of June, 2004

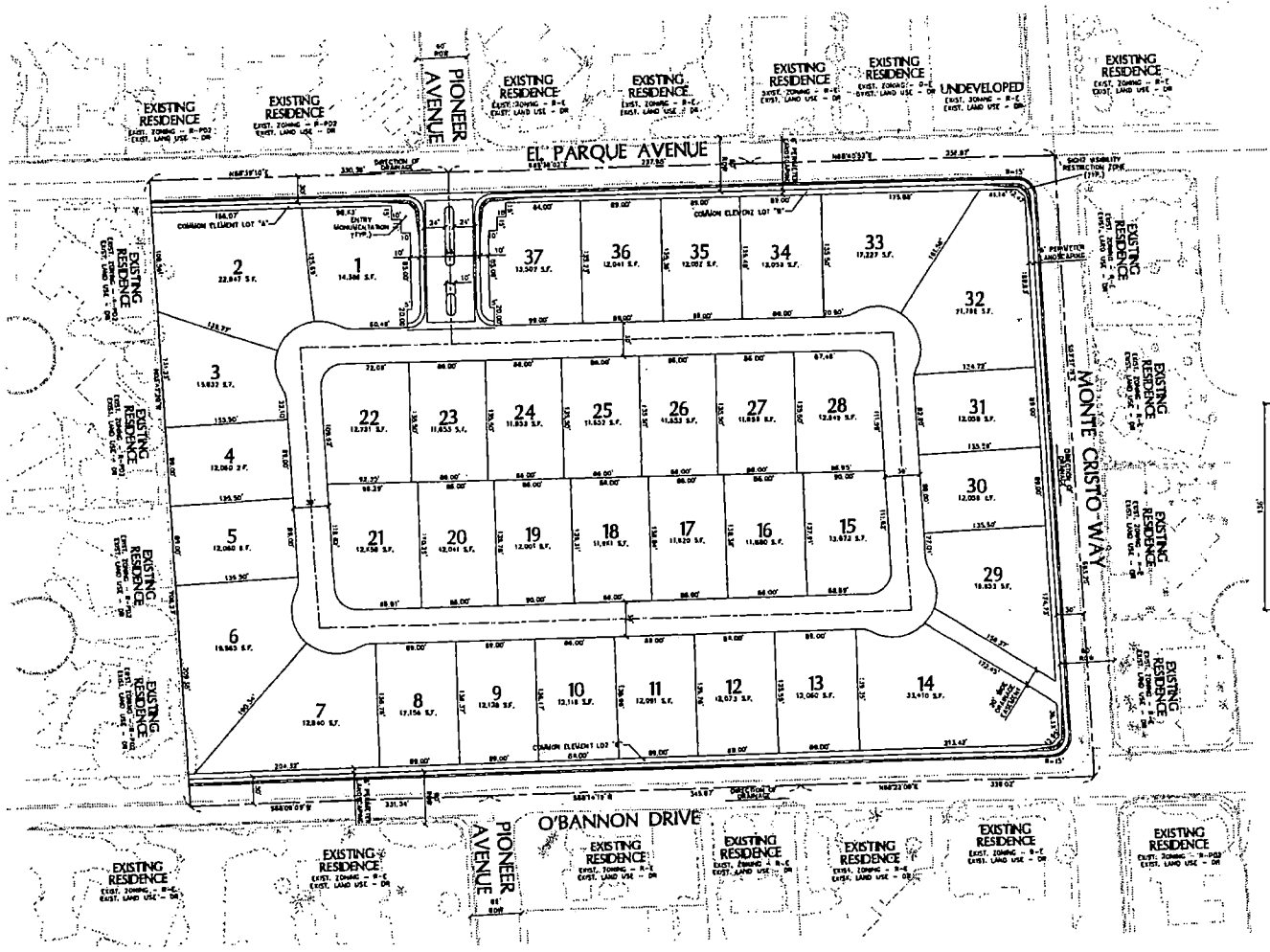
_____

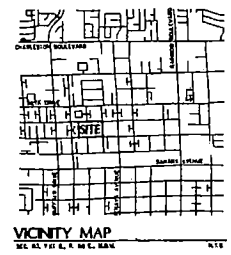
Notary Public in and for said County and State

GWENDA L. HUEBNER
Notary Public State of Nevada
No. 97-1243-1
My appt. exp. Mar. 22, 2005

MONTE CRISTO/O'BANNON

A RESIDENTIAL PLANNED DEVELOPMENT

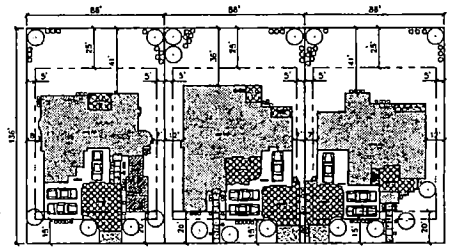




VICINITY MAP

NORTH
1"=60'

GRAPHIC SCALE



TYP. LOT SETBACKS

(TYPICAL LOT SIZE 11,880 SQ. FT. +/-)
NOT TO SCALE

*FRONT:
GARAGE ..... 20'
SIDE/BOARD GARAGE ..... 15'
BUILDING ..... 20'
REAR ..... 15'
SIDE ..... 5'
CORNER ..... 10'

TABULATION

APN #	163-03-302-004, 005 & 006
CURRENT ZONING	R-E
PROPOSED ZONING	R-PD2
ACREAGE	18.0 ACRES±
NUMBER OF UNITS	37
D.U.A.	2.21
OPEN SPACE REQ'D	26,485 S.F.
OPEN SPACE PRV'D	0 S.F.

OWNER/DEVELOPER

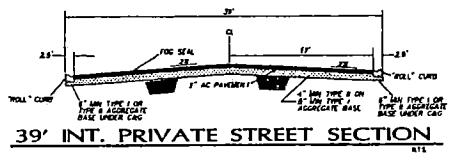
PLASAN HOMES, LLC
C/O MARK BERGAL
740 S. EIGHTH STREET, STE. 200
LAS VEGAS, NV 89101
(702)302-5317

LEGAL DESCRIPTION

DESCRIPTION: BEING GOVERNMENT LOTS 88 AND 90 WITHIN SECTION 03, TOWNSHIP 21 SOUTH, RANGE 60 EAST, M.D.M., CLARK COUNTY NEVADA.

ALSO KNOWN AS 163-07-302-004, 005 & 006

CONTAINING 14.9 ACRES MORE OR LESS.



39' INT. PRIVATE STREET SECTION

NOTES:

ALL ONSITE STREET INTERSECTION RADII ARE 20' AT BACK OF CURB.

ALL PRIVATE STREETS ARE PUBLIC UTILITY EASEMENTS AND CITY OF LAS VEGAS SEWER EASEMENT ALONG WITH PUBLIC DRAINAGE EASEMENTS TO BE PRIVATELY MAINTAINED BY THE HOMEOWNERS ASSOCIATION.

NO EXISTING STRUCTURES ARE LOCATED ON THIS PARCEL.

CONCEPTUAL LAYOUT #003

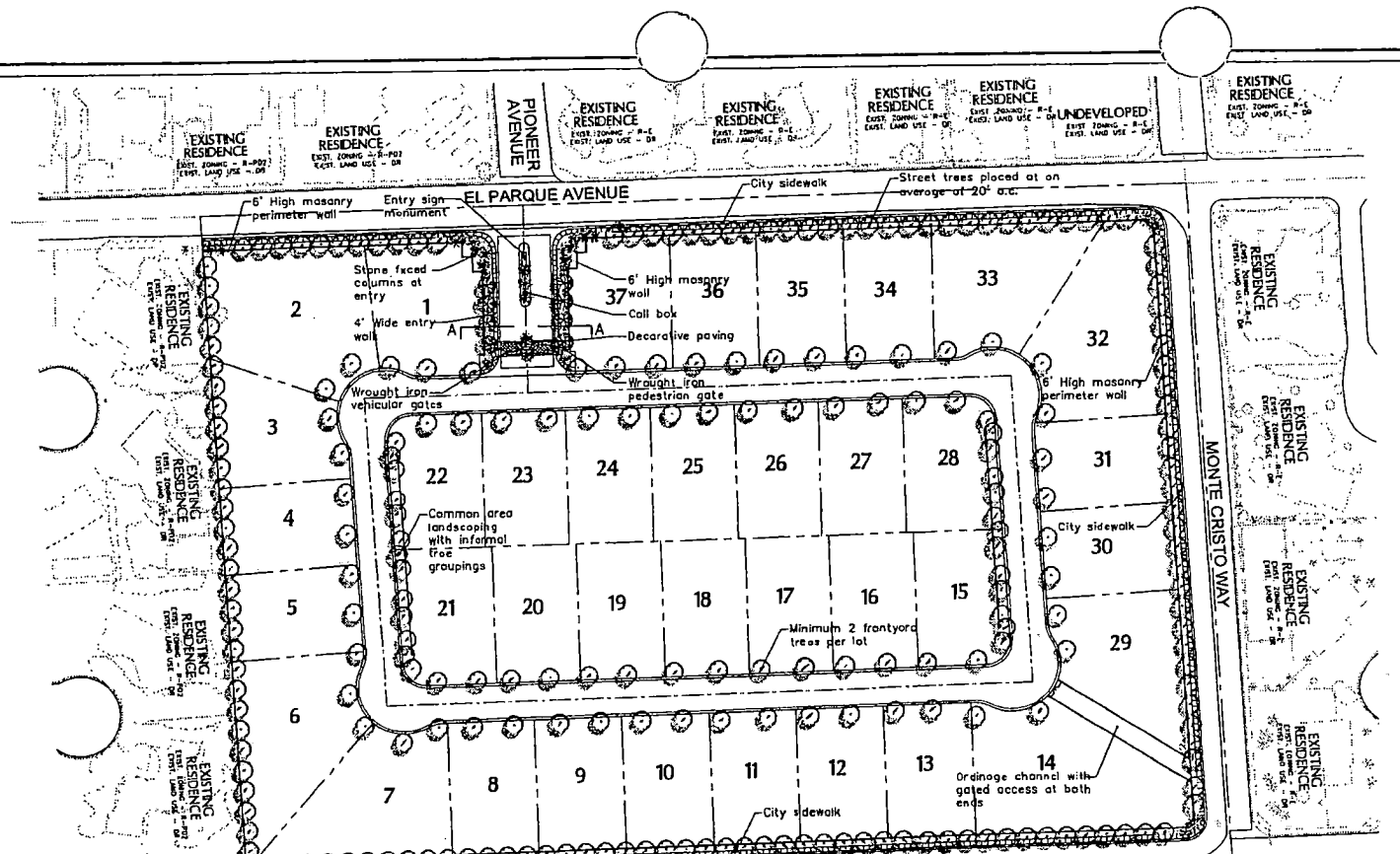
L. R. NELSON CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, Nevada 89118
(702) 798-7978
(702) 451-2236 FAX

SITE DEVELOPMENT PLAN TO ACCOMPANY A ZONE CHANGE FOR
MONTE CRISTO/O'BANNON
A RESIDENTIAL PLANNED DEVELOPMENT
NEVADA
CITY OF LAS VEGAS

SHEET NUMBER
1
OF 1 SHEETS
1364-001-041

SDR-6233
04/28/05 PC

H:\Land Projects\1364001\dwg\Planning\Site Plan\SP-New.dwg, 3/3/2005 5:59:22 PM, Mark.Bangan



SUGGESTED PLANT PALETTE

Street Trees such as–

Symbol	Botanical Name – Common Name
	Washingtonia robusta – Mexican Fan Palm (Non Skin) Phoenix dactylifera – Date Palm
	Fraxinus velute 'Rio Grande' – Fan Tex Ash Platanus mexicana – Mexican Sycamore Pinus eldarica – Mandel Pine Prosopsis alba 'Colorado' – Thornless Argentina Mesquite Quercus virginia – Southern Live Oak Robina ambigua 'Purple Robe' – Purple Robe Locust

Entry Trees such as–

Symbol	Botanical Name – Common Name
	Brachychiton populneus – Battle Tree Fraxinus velute 'Rio Grande' – Fan Tex Ash Ligustrum lucidum – Glossy Privet Platanus mexicana – Mexican Sycamore Pinus eldarica – Mandel Pine

Shrubs such as–

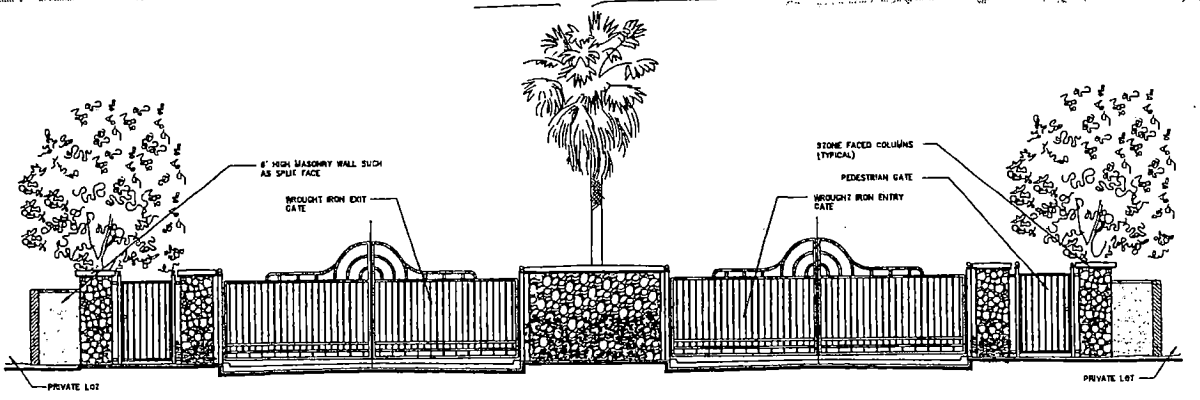
Symbol	Botanical Name – Common Name
	Buxus japonica 'Green Beauty' – Japanese Boxwood Cassia nemophila – Feathery Cassia Cotoneaster dammeri 'Low Fast' – Bearberry Cotoneaster Cotoneaster pyracyl – Red Clusterberry Dietes vegeta – Fortnight Lily Euonymus japonica 'Silver King' – Euonymus Helictotrichon sempervirens – Blue Oast Grass Hesperaloe parviflolis – Red Yucca Juniperus chinensis 'Gold Coast' – Chinese Juniper Leucophyllum frutescens 'Green Cloud' – Texas Ranger Leucophyllum frutescens 'White Cloud' – Texas Ranger Ligustrum texanum – wes Leaf Privet Nandina domestica 'Gulf Stream' – Heavenly Bamboo Photinia fraseri – Photinia Pittosporum tobira 'Variegata' – Tobira Pittosporum tobira 'Wheeler's Dwarf' – Tobirx Prunus caroliniana 'Compacta' – Carolina Laurel Cherry Rhaphiolepis indica 'Ballerina' – Indian Hawthorn Rhaphiolepis indica 'Majestic Beauty' – Indian Hawthorn Rhaphiolepis indica 'Spring Time' – Indian Hawthorn Rosmarinus officinalis 'Irene' – Dwarf Rosemary Xylosma congestum 'Compacta' – Shiny Leaf Xylosma Trachelospermum jasminoides – Star Jasmine

Groundcovers such as–

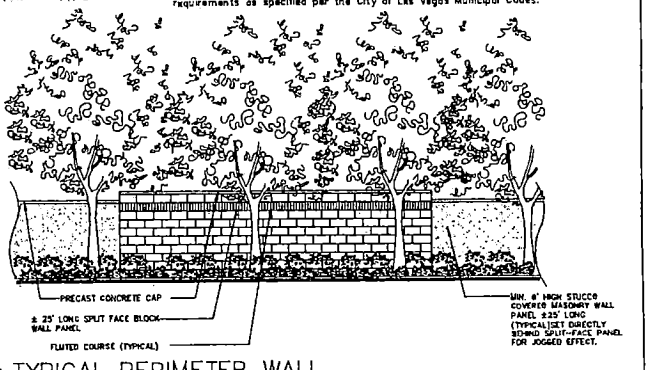
Symbol	Botanical Name – Common Name
	Drought Tolerant Fescue
	Tan colored rock mulch – 3/4" screened, 2" min. deep. Install in all shrub areas.

NOTE

Detailed hardscape, irrigation, planting plans and all relevant details will be provided on the construction documents. All landscaping, including landscape buffer requirements, will be adhered to requirements as specified per the City of Las Vegas Municipal Codes.



A SECTION AA: MAIN ENTRY GATES AT EL PARQUE AVENUE
SCALE: 1/4" = 1'-0"



B TYPICAL PERIMETER WALL
SCALE: 1/4" = 1'-0"

FRONT ELEVATION

SCALE: 1" = 50'

NORTH

JOHN HANNA & ASSOCIATES

Monte Cristo

Las Vegas, Nevada

CONCEPTUAL LANDSCAPE PLAN

Plasim Homes, LLC

JHA #722
2-24-05

SDR-6233 **ZON-6231**

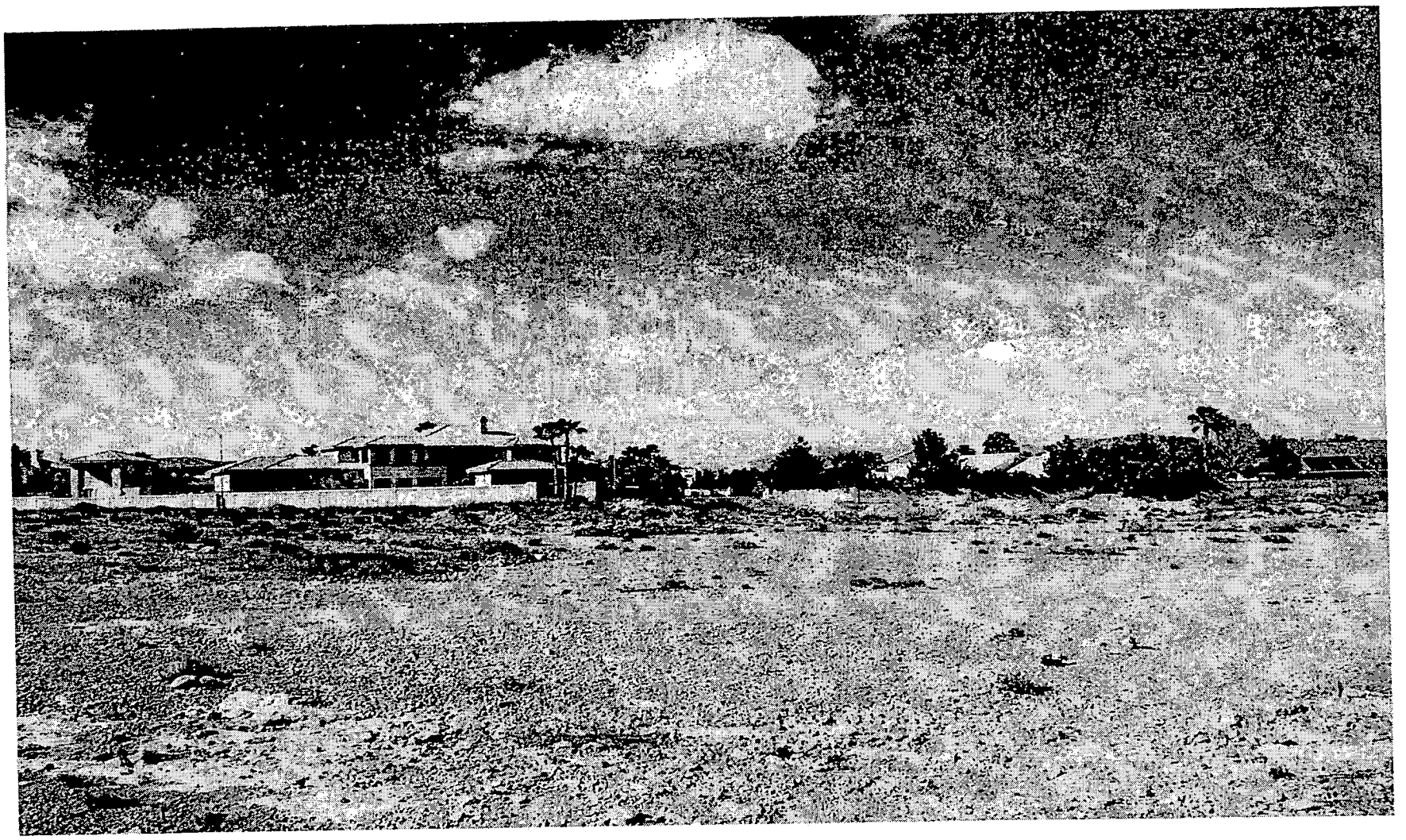
VAR-6232 **04/28/05 PC**

H:\Land Projects\1364001\dwg\Planning\Landscape\03-03-05\722-1.dwg, 3/3/2005 6:06:12 PM, Mark.Bangan



ZON-6231, VAR-6232, & SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC
NORTHWEST CORNER OF MONTE CRISTO WAY AND O'BANNON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



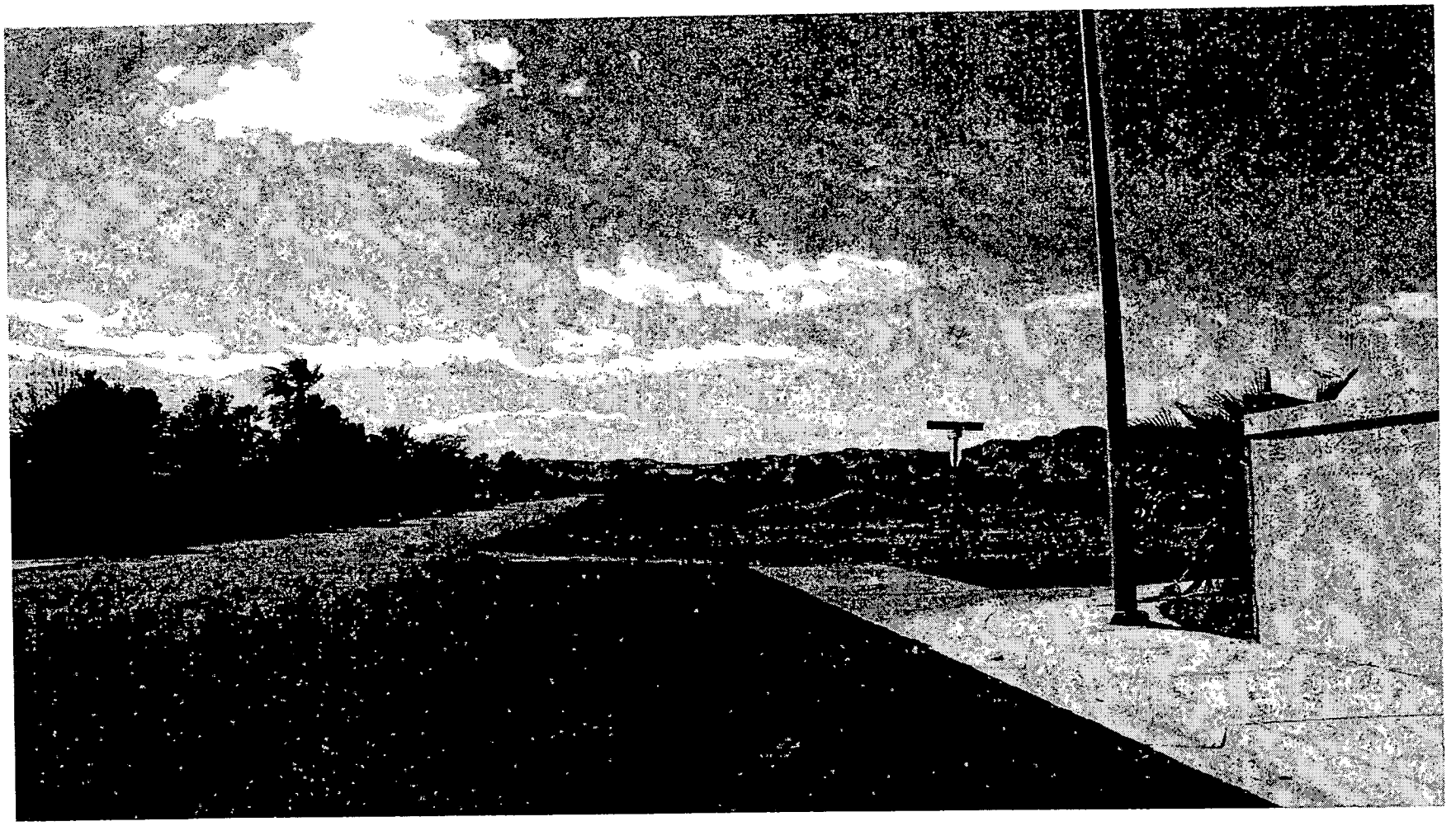
ZON-6231, VAR-6232, & SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC
NORTHWEST CORNER OF MONTE CRISTO WAY AND O'BANNON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



ZON-6231, VAR-6232, & SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC
NORTHWEST CORNER OF MONTE CRISTO WAY AND O'BANNON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



ZON-6231, VAR-6232, & SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC
NORTHWEST CORNER OF MONTE CRISTO WAY AND O'BANNON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/13/05



ZON-6231, VAR-6232, & SDR-6233 - APPLICANT/OWNER: PLASIM HOMES, LLC
NORTHWEST CORNER OF MONTE CRISTO WAY AND O'BANNON DRIVE
APRIL 28, 2005 PLANNING COMMISSION

3/13/05

LARRY R. NELSON, P.E.
President

- STRUCTURAL
- CIVIL
- SURVEY
- PLANNING

Project Number: 1364-001-041

March 3, 2005

City of Las Vegas
Planning and Development
731 S. Fourth Street
Las Vegas, NV 89101

Re: MONTE CRISTO/OBANNON – REZONING REQUEST, SPECIAL USE PERMIT AND SITE DEVELOPMENT PLAN REVIEW AND VARIANCE - APN 163-03-302-004, 005 & 006

Dear Staff:

On behalf of our client, Plasim Homes, LLC, we are including this letter to provide information on the Rezoning Request, Site Development Plan Review, Special Use Permit and Variance being submitted for consideration on the above referenced project.

We are asking for this request to develop 16.0 acres of property located on the northwest corner of O'Bannon Drive and Monte Cristo Way as a Single Family Detached Development. This development would consist of thirty-seven (37) homes located on a sixteen-acre site. The proposed density would be 2.31 units/acre. The site is bordered to the west and northwest by existing R-PD2 developments and along the northeast, east, and south by existing R-E developments and single-family residences.

Our client is asking to utilize interior private streets with roll curb at a width of 39' from back of curb to back of curb.

Our Client feels that this proposed development is compatible with the surrounding area and will be an enhancement to the neighborhood. With this in mind, we would respectfully request approval of this Rezoning Request, Special Use Permit, Site Development Plan Review and Variance. If you have any questions or concerns, please contact this office at your convenience.

Sincerely,
L. R. NELSON CONSULTING ENGINEERS, INC.

Mark Bangan
Planning Manager

NEVADA
L.R. NELSON
CONSULTING ENGINEERS, INC.
6765 West Russell Road, Suite 200
Las Vegas, NV 89118-1811

Phone 702 / 798-7978
FAX 702 / 451-2296
Email lrnelson@lrneng.com

UTAH
L.R. NELSON
CONSULTING ENGINEERS, L.L.C.
51 West 9000 South
Sandy, UT 84070-2008

Phone 801 / 565-8580
FAX 801 / 565-9340
Email lrnslc@qwest.net

Telephone Protest/ Approval Log

Meeting Date: 4/28 **Case Number:** ZON-6231
VAR-6232 & SDR-6233

Date: 4-21-05.
Name: Anna Williams
Address: 7451 O'Bannon Dr.

Phone: 363-9745
☒ **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**

From: awaarch@earthlink.net
To: Gary Reese , Larry Brown , Oscar Goodman , Lawrence Weekly , Michael Mack , Lois Tark Steve Wolfson
Cc: planninganddevelopment@lasvegasnevada.gov
Subject: Protest of VAR-6232, Zon-6231, SDR-6233
Date: Apr 21, 2005 9:08 PM

Re: Objection to VAR-6232, Zon-6231, SDR-6233

Dear Mayor Goodman, Councilwoman Tarkanian, Councilman Weekly, Councilman Wolfson, Councilman Reese, and Councilman Mack:

I respectfully ask for the denial of the above applications by Plasim Homes, LLC, because they are incompatible with the surrounding neighborhood and its uses for the following reasons:

1. This property was originally a BLM piece and was acquired by the developer last year at auction. The surrounding land on all sides has been developed with homes on much larger lots than have been proposed by Plasim LLC. The proposed development encompasses approximately 16 acres of space with a wall around the enti. perimeter and 37 large, repetitive, two-story, houses closely set together, approxi 5-8 feet to property line. The proposed development is not congruent with the surro and existing homes. The surrounding homes are spread out on much larger lots and have created the footprint of an open feeling in our neighborhood. This signature or footprint has set a precedent and defines our neighborhood with its individual, ranch-style homes on large lots.

2. The proposed development sits dead center in our neighborhood, completely surro by homes, and because of the proposed development's large scale and location, it will have a tremendous impact on the surrounding uses. All of the surrounding home owners will be subjected to looking at this huge, walled in compound with very litt. open space between each building. None of us want this. It will negatively and significantly change the nature of our neighborhood forever.

3. The request by the developer for a variance of the established open space requi. within this proposed development is unjustified. This large of a development needs open space, not only to provide better cohesion with the surrounding uses, but also to provide recreational use for the families within its confines. A variance of the open space will adversely affect this community.

We welcome development of this piece of property and hope that the developer will reconsider his design. However, if he does not, we ask for denial of the above referenced applications. Thank you for your service to our community.

Sincerely,
Anthony and Anna Williams

North half(N½) of SW¼ of section 3 Township 21 Range 60 east m.p.m.

7450 E. Parque Ave
LONG 80122 702 2282126

Planning Commission April 17 05

Concerning rezonning ZON-6231
" Variance JAR 6232
SDR 6233

We, Mei Hui Campbell and Wayne G Campbell objects the rezonning and variance proposed by Plasim Homes LLC.

We have lived here for 13 Plus years and are extremely confortable with the size of existing lots. The change will cause jamming of homes and congestion in our area.

We would only approve building of homes custome-type in the 16 acre with existing zonning requirement and still comply with 26,450 sq feet minimin requirement.

Leave the RE alone.

We would loose of a big block wall with houses jammed into one spot because one guy or LLC want to make a bunch of money on this deal and make all the existing residents suffer.

We will be calling a Tarbaucin to voice our objecteon too!

I need look at the map(to JAM 37 lots in this area destory this hole area)

Sincerly

Wayne E. Campbell

Mei Hui Cph

City of Las Vegas

Agenda Item No.: 72

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT

PLANNING COMMISSION MEETING OF: APRIL 28, 2005

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER [ ] CONSENT [X] DISCUSSION

SUBJECT:
VAR-6283 - VARIANCE - PUBLIC HEARING - APPLICANT: AMBLING DEVELOPMENT PARTNERS, LLC - OWNER: NEVADA ALTA, LLC - Request for a Variance TO ALLOW A 20.5 FOOT SETBACK FROM THE WEST PROPERTY LINE WHERE 336 FEET IS THE MINIMUM REQUIRED; TO ALLOW A 20.1 FOOT SETBACK FROM THE NORTH PROPERTY LINE WHERE 336 FEET IS THE MINIMUM REQUIRED; AND TO ALLOW A 71.2-FOOT SETBACK FROM MARTIN L KING BOULEVARD WHERE 77 FEET IS THE MINIMUM REQUIRED on 16.78 acres adjacent to the northwest corner of Alta Drive and Martin L King Boulevard (APN 139-33-202-005), C-1 (Limited Commercial) Zone, Ward 5 (Weekly).

C.C.: 06/01/05

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

RECOMMENDATION:
Staff recommends APPROVAL.

BACKUP DOCUMENTATION:
1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter

MOTION:
DAVENPORT – APPROVED subject to conditions – UNANIMOUS with STEINMAN and EVANS excused

To be heard by City Council 6/01/2005

MINUTES:
CHAIRMAN NIGRO declared the Public Hearing open on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

FLINN FAGG, Planning and Development Department, gave a brief explanation of the applications. The Variance relates to residential adjacency requirements but Title 19.08 does

MINUTES – Continued:

allow exceptions for mixed-use projects if it contains a substantial residential element as this project does. The applicant is dedicating additional right-of-way and therefore, must request the Variance. The applicant is requesting a Special Use Permit from the minimum standard to have the commercial uses located directly at the Public right-of-way and one of the causes is possible future street widening projects. The Site Plan has conditions relative to minor landscaping amendments and also a requirement to provide a trail along Alta Drive. GINA VENGLASS, Public Works Department, indicated there would be an amendment to Condition 16 on Item 74 [SDR-6282] and read the new verbiage into the record.

LANCE EARL, 2300 West Sahara Avenue, appeared on behalf of the applicant with EDDY BENOIT of the Ambling Development Partners, LLC and concurred with all conditions including the amendment read by MS. VENGLASS. The property is oddly configured and the Special Use Permit is necessary to build the project as contemplated. Also, the applicant is being requested to dedicate almost two acres of land in a triangular shape on Martin Luther King Boulevard with a portion of it on Alta Drive and that dedication creates issues relating to development and require the Variance.

DANIAL DEEGAN, 1801 Granite Avenue, indicated that he had spoken against the previous plan for this site but finds this plan acceptable. He noted that a substantial agreement had been reached between the developer and the neighbors. The applicant met with the residents prior to the pre-application phase and many alternatives were discussed. The developer seemed more serious about the negotiation process this time as well. After repeated meetings the residents were able to work in harmony without inference from individuals who were involved in previous the negotiation process.

WILLIAM STOJACK, 1820 West Mesquite Avenue, a member of the Board of Directors for the Rancho Manor Neighborhood Association, commended the applicant on working well with the neighbors. The project should be a focal point in the neighborhood, one that is badly needed. Traffic mitigation has been addressed and this development will benefit the neighborhood.

COMMISSIONER GOYNES expressed his pleasure over the developer and neighbors being able to reach a compromise. He recollected that many residents accused him of being involved in the previous application only because he had financial interest, an accusation that offended him greatly. Events over the last few months have proven that none of those accusations were factual. His involvement was driven by a wish to bring the neighborhood together and work out issues with the developer. In his 13 years on the Board he has never been in the back pocket of a developer and has maintained his goal of having neighbors sit down with developers whether a Commissioner is present at the meeting or not. Putting that aside, the Commissioner recommended approval because the neighbors are asking for it.

MINUTES – Continued:

VICE CHAIRMAN TRUESDELL stated that he supports the project now and he noted many of the concerns over the previous plan have been addressed with this second rendition. The developer in cooperation with staff and the residents, has come up with a project that is much more appropriate and sympathetic to the area.

CHAIRMAN NIGRO asked about the destination of the required trail mentioned during the staff report. MR. FAGG stated the trail is intended to extend along the north side of Alta Drive. It will run east/west and would eventually connect to the downtown trail system. The trail would be ten feet wide and landscaped on both sides. MR. LEOBOLD noted that the World Market project on the east side of the I-15 freeway will be providing a ten-foot wide trail that will connect into Discovery Drive as well. CHAIRMAN NIGRO questioned how it would run under the railroad tracks and the freeway. MR. FAGG said the trail is not currently planned to go further west but the eventual hope is that it will.

COMMISSIONER DAVENPORT asked if a traffic median would be installed on Alta Drive to prohibit left turns. MR. EARL indicated that from Alta Drive, there would be a right turn in, right turn out only. Such issues will be addressed with the Traffic Engineering division as required. The applicant is prepared to take measures to address all traffic concerns.

MR. EARL thanked everyone involved in the collaborative effort.

CHAIRMAN NIGRO declared the Public Hearing closed on Item 72 [VAR-6283], Item 73 [SUP-6284] and Item 74 [SDR-6282].

(10:38 – 10:56)

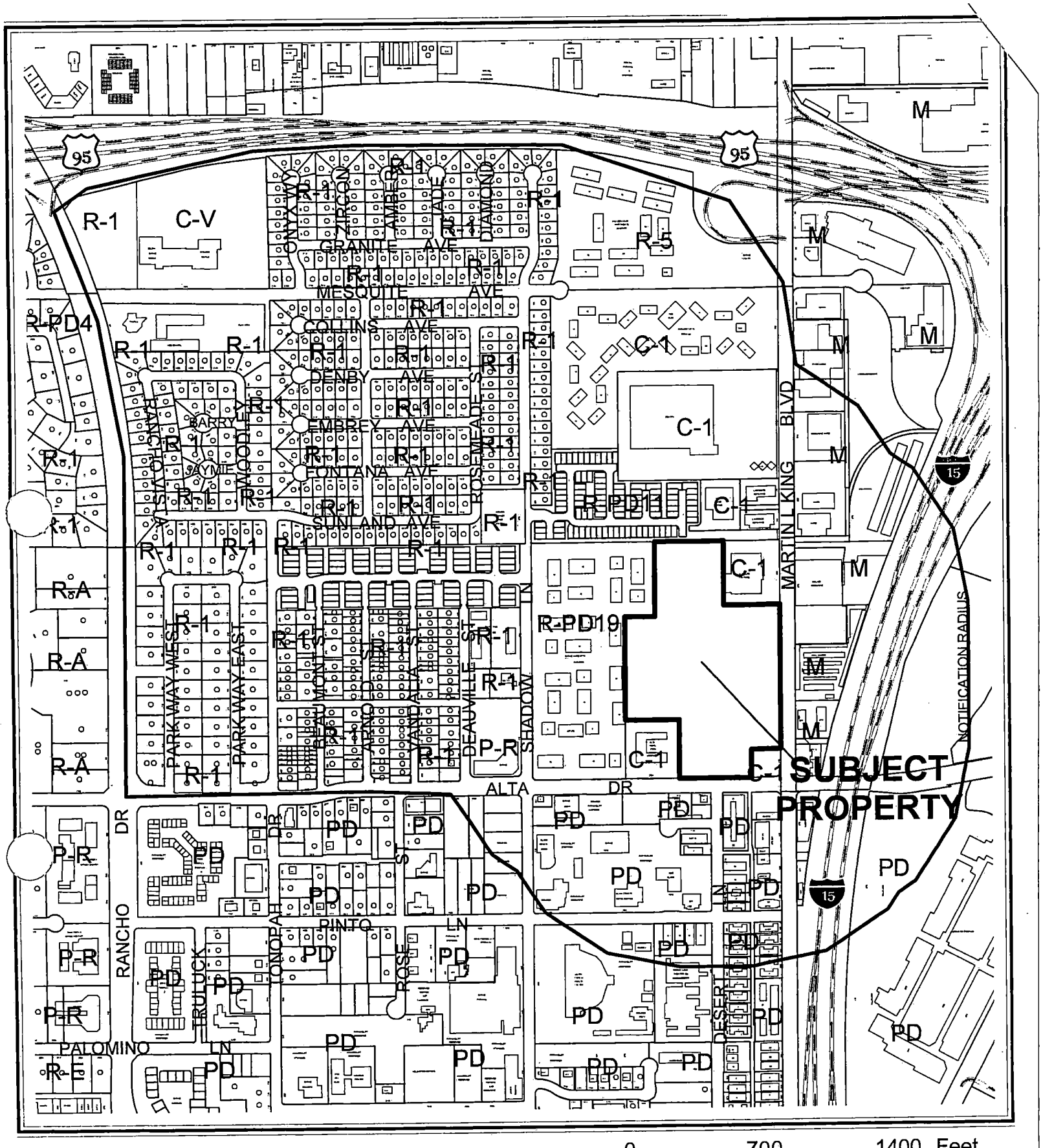
3-3253

CONDITIONS:

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Special Use Permit (SUP-6284) and Site Development Plan Review (SDR-6282).

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.



0 700 1400 Feet

CASE: **VAR-6283**

RADIUS: 1000 FT + SPECIAL

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

N

PLANNING & DEVELOPMENT

PLANNING & DEVELOPMENT DEPARTMENT

STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-6283** APN: 139-33-202-005

Name of Property Owner: Nevada Alta, LLC

Name of Applicant: Ambling Development Partners, LLC

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

_____Yes ___X___No

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

City Official: _____

Partner(s): _____ _____

APN: _____

Signature of Property Owner: [signature]

Print Name: Rhett T. Holmes, Manager

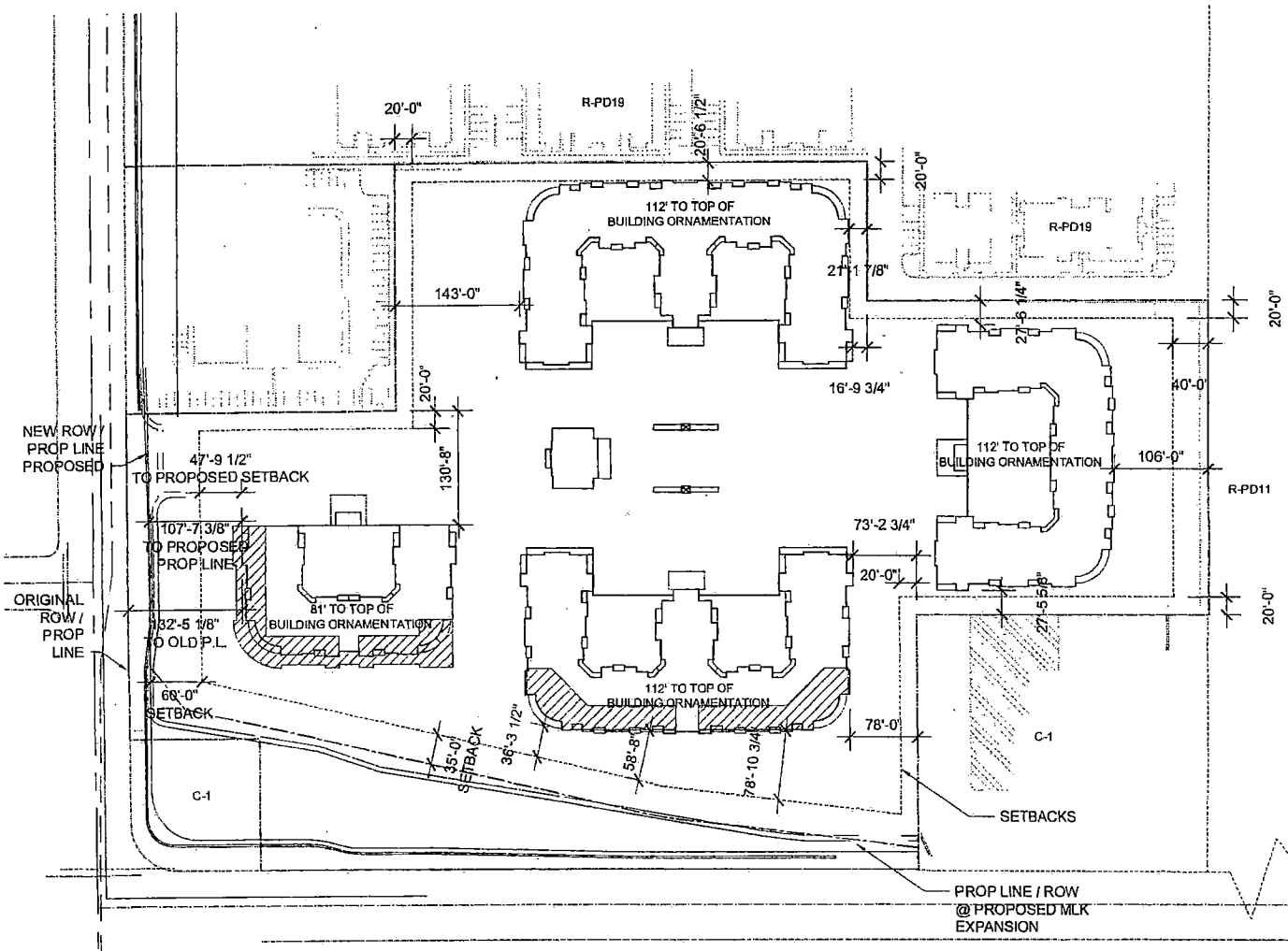
Subscribed and sworn before me

This 14th day of March, 2005

[signature]

Notary Public in and for said County and State

SUZANNE D. BEHUNE NOTARY PUBLIC DEKALB COUNTY, GA MY COMMISSION EXPIRES MARCH 09, 2008



ALTA DRIVE

PROPOSED
DEVELOPMENT
LAS VEGAS, NEVADA

A LUXURY CONDOMINIUM
DEVELOPMENT BY

AMBLING
DEVELOPMENT
PARTNERS, L.L.C.
ATLANTA, GEORGIA

Edwin R. Kimsey, AIA
One Buckhead Plaza
3060 Peachtree Road, NW.
Suite 600
Atlanta, Georgia
404-365-7660
Fax 404-365-7610

BUILDING AND SETBACK LOCATIONS

0 64' 128' 256'

N

SCALE: 1/128" = 1'-0"

RECEIVED
MAR 4 2 2005

REVISED
3.24.05

VAR-6283
4-28-05 PC

VAR-6283

AMBLING DEVELOPMENT PARTNERS (Alta/MLK)

During the past year, Ambling Development Partners ("Ambling") has had numerous meetings with members of the City Council, Planning Commission and the Rancho Manor Neighborhood Association. These meetings have been marked by the Mayor's vision of both the City and its Downtown Redevelopment Area over the next 5-7 years. Ambling realizes that the upcoming redevelopment plans primarily addressed major commercial occupancies and office space with minimal residential or small scale retail development. Therefore, in an effort to address these needs, Ambling has committed itself to pursuing land acquisitions for the development of reasonably priced "for sale" condominium residences for working professionals, retirees and second-home buyers near the Downtown area and within the Medical districts; as well as retail development required to support them.

Ambling currently intends to develop 16.78 acres located at the intersection of Martin Luther King Boulevard (MLK) and Alta Drive. Ambling's goal is to bring the type of condominium developments currently seen on the main Las Vegas Strip to the nearby suburb of the Downtown area at a price that will promote growth, neighborhood revitalization, reurbanization and improve the overall quality of life in the vicinity. Naturally, the residential condominium population will be the catalyst that promotes the retail and service growth. However, synergies can be created when residential and retail spaces are combined on a single site. Thus, Ambling seeks to provide amenities, retail services, building characteristics, elegant floor plan layouts and views of Las Vegas at prices significantly more affordable than current properties on the Strip and Downtown; and in a manner that will contribute to the neighboring residential communities. It is for this reason that Ambling is focusing on mixed-use development for this site.

The current Site Plan contains four (4) buildings ranging in height from five (5) stories (4 stories over a 1-story parking deck) to nine (9) stories (7 stories over a 2-story parking deck) and designed to contain approximately six hundred sixty four (664) residential units and approximately twenty five thousand (25,000) square feet of retail space. The residential parking decks will contain a total of seven hundred ninety three (793) spaces, there will also be fifty seven (57) surface residential spaces available with

an additional eighty (80) surface guest spaces available and one-hundred seven (107) surface retail spaces available. Additional recreational facilities will be built on site, including 1) Fitness Centers 2) Business/Media Centers 3) Laundry Facilities 4) Club Rooms 5) Swimming Pool 6) Children's Playground Area 7) Tennis Courts and 8) Elevated Courtyard areas. A large clubhouse will be built in the center of the property along with other amenities in order to provide a sense of community for the residents in the central core of the development. Finally, there will be a gated entrance from Alta Drive and a resident-only entrance from MLK Boulevard, both of which will be set back on the site so the general public has vehicle and pedestrian access to the retail shops.

It is expected that this development will help revitalize the historic neighborhood adjacent to the Downtown area, support the growing medical district and diversify the economic base in the vicinity. The proposed site is currently vacant and attracts many nuisances. The appearance of mixed use dwellings on the property will aid in improving local buyers and investors confidence. In addition, this project will promote the momentum for additional residential and mixed-use projects in the adjacent areas. The proximity of this Project to the Downtown area and the Medical District will provide a steady client base for the services and shops in the area, while also drawing other residents to the area because of the on-site retail shops. Additionally, transportation needs will be easily met by public transportation and alleviate some of the traffic problems that may be encountered as the revitalization of the Downtown area occurs. Local neighborhoods will also benefit as declining commercial centers and vacant land become renewed and developed, producing a pedestrian-friendly and aesthetically appealing urban neighborhood environment.

Currently, the site is zoned "C-1" which allows for mixed-use development. Similarly, the current Land Use Designation is "Service Commercial" which also allows for this type of development. However, neither of these designations will be beneficial if (i) the 3-to-1 residential adjacency restriction (LVCM 19.08.060), (ii) the building height at collectors restrictions (LVCM 19.08.030), (iii) street accessibility restrictions for retail spaces (LVCM 19.04.050), and (iv) building placement restrictions (parking on side and rear) are not eliminated. Accordingly, Ambling has filed applications for a variance/waiver of these restrictions.

Currently, Ambling proposes the construction of four (4) buildings ranging in height from seventy (70) feet to one hundred (100) feet above ground level. Based on these proposed heights, all adjacent structures must be at least twenty-three (23) feet tall. Unfortunately, only a few adjacent structures exceed this height; however, none of the current structures have desirable "views" and the construction of these buildings will therefore not negatively impact the current skyline as seen from surrounding structures. Similarly, the height at the sidewalks exceeds the current height restriction and does not step back away from the street at a forty five (45) degree angle. Nevertheless, the height of these buildings will not have a negative impact on Alta Drive or MLK Boulevard as there are already setbacks approximately seventy five (75) feet from these major thoroughfares. These setbacks will also provide sufficient pedestrian protection to street accessibility and building placement requirements. The buildings themselves are placed in a manner that will allow sufficient light and wind to flow through the development, therefore providing the light and air the surrounding community is currently accustomed to.

As the Downtown area continues to evolve during its current revitalization process, significant changes will occur. This site is currently designated for commercial purposes, but there is not a large enough local population to justify development of the site with commercial structures alone, therefore it remains vacant. Development of this site under Ambling's proposed plans will greatly enhance the perception of this area and promote further economic redevelopment. Additionally, this plan will revitalize the urban core along with the Outlet Mall, Furniture Mart, Nevada Department of Transportation (NDOT) projects and Mixed-Use Condominium Development, all of which create synergy.

Ambling therefore contends that the desired zoning, variance and special use permits will allow it to construct a project that meets and supports the City's exiting policies, promotes long term attractiveness, improves the economic vitality of the area, and endorses the City's revitalization goals by improving public safety and the general health and welfare of the population in the area surrounding the project.