

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT**    ☒ **DISCUSSION****SUBJECT:**

VARIANCE RELATED TO GPA-12367 AND ZON-12370

VAR-12921 - PUBLIC HEARING - APPLICANT: ALLAN HENDRICKSON/THETA FORCE - OWNER: WESTCARE WORKS, INC. - Request for a Variance TO ALLOW A CORNER SIDE YARD SETBACK OF 8 FEET WHERE 15 FEET IS THE MINIMUM SETBACK REQUIRED IN CONJUNCTION WITH A PROPOSED COMMERCIAL/OFFICE DEVELOPMENT on 5.21 acres at the southwest corner of Duncan Drive and Bradley Road (APN 138-12-110-048), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Backup referenced from the 05/25/06 Planning Commission meeting Item 13

**MOTIONS:****ROSS - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

NOTE: See Item 124 [GPA-12367] for all related discussion.

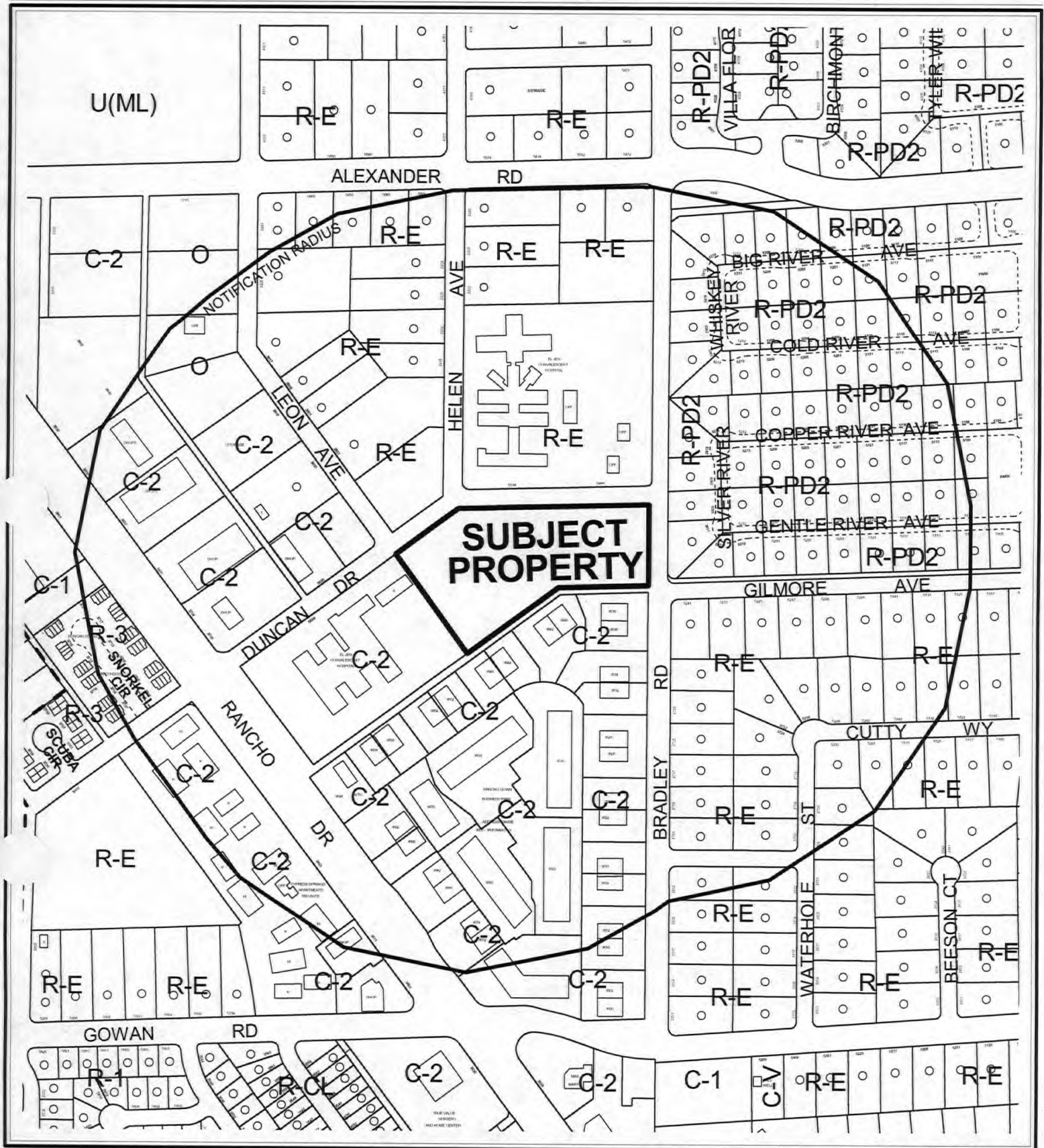
(1:59 - 2:05)

3-1055

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12370) and Site Development Plan Review (SDR-12920) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**CASE: VAR-12921**

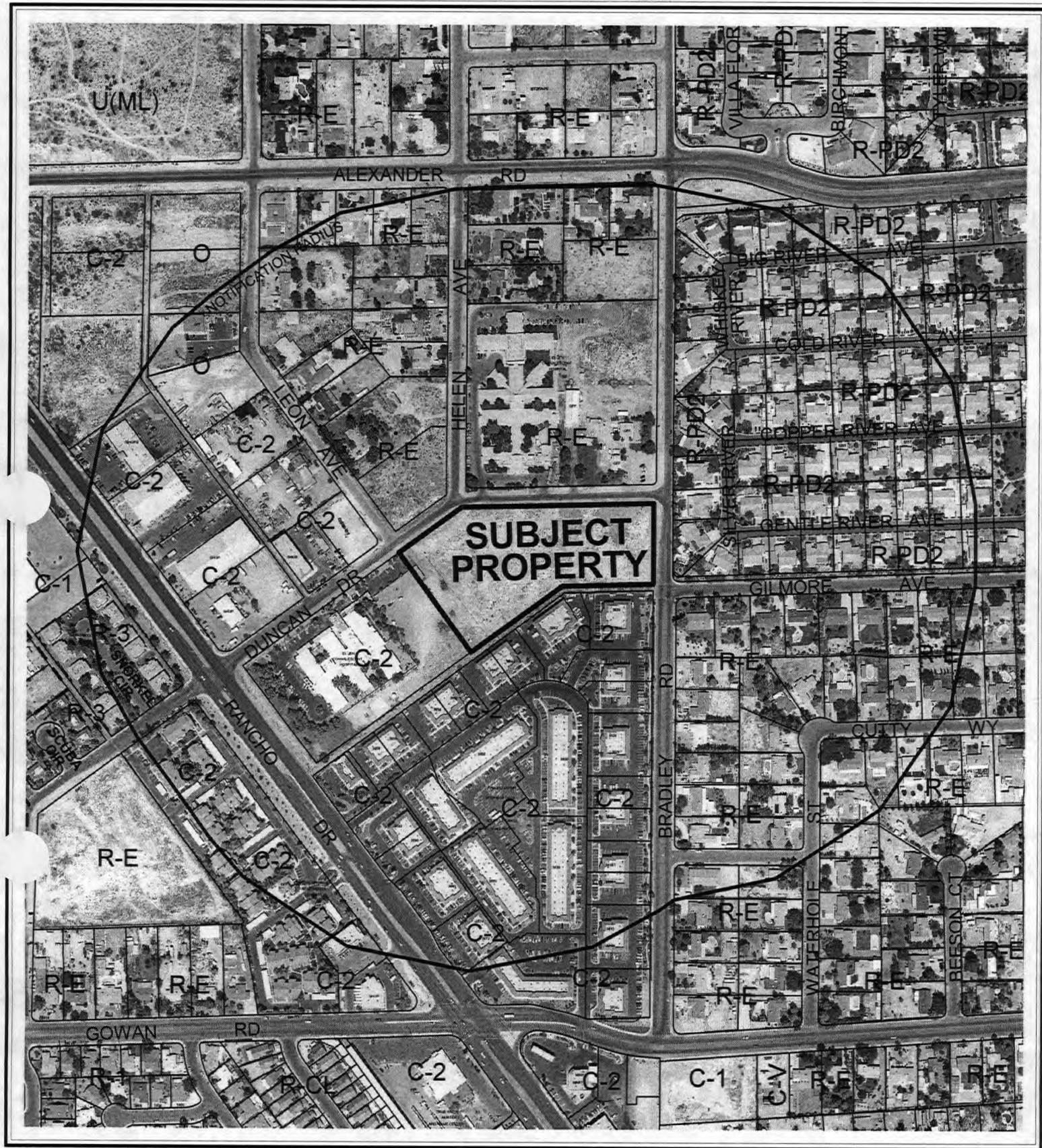
**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO  
C-2 (GENERAL COMMERCIAL)







CASE: **VAR-12921**

RADIUS: 1000 FT

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO  
C-2 (GENERAL COMMERCIAL)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: VAR-12921 - APPLICANT: ALLAN HENDRICKSON/THETA**  
**FORCE - OWNER: WESTCARE WORKS, INC.**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12370) and Site Development Plan Review (SDR-12920) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Variance to allow a corner side yard setback of 8 feet where 15 feet is the minimum setback required in conjunction with a proposed commercial/office development on 5.21 acres at the southwest corner of Duncan Drive and Bradley Road.

**EXECUTIVE SUMMARY**

A hardship can be demonstrated in that the proposed building would meet the required corner side setback if additional right-of-way were not required to be dedicated at the intersection of Duncan Drive and Helen Avenue. However, the plan itself represents more intense development than would be compatible with the surrounding land uses; therefore, denial is recommended.

**BACKGROUND INFORMATION**

**A) *Related Actions***

- |          |                                                                                                                                                                                                                                                                                                       |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/18/04 | The City Council struck a General Plan Amendment (GPA-5195) to amend the Master Plan from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential). Staff had recommended denial.                                                                                       |
| 05/12/05 | The Planning Commission agreed to Withdraw Without Prejudice a Rezoning (ZON-6379) from R-E (Residence Estates) to R-PD9 (Residential Planned Development – 9 Units Per Acre) and Site Development Plan Review (SDR-6379) for a proposed 48-unit four-plex development. Staff had recommended denial. |
| 05/26/05 | The Planning Commission agreed to Withdraw Without Prejudice a General Plan Amendment (GPA-6270) to amend the Master Plan from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential). Staff had recommended denial.                                                  |
| 04/27/06 | The Planning Commission held a related General Plan Amendment (GPA-12367), a Rezoning (ZON-12370) and Site Development Plan Review (SDR-12920) in abeyance to the 05/25/06 Planning Commission Meeting. Staff recommended denial.                                                                     |



- 05/25/06 The Planning Commission recommended approval of companion items General Plan Amendment (GPA-12367), Rezoning (ZON-12370) and Site Development Plan Review (SDR-12920) concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #13/ss).

***B) Pre-Application Meeting***

- 03/27/06 A General Plan Amendment and Rezoning to allow office and retail uses on this site were already submitted. A 70,140 square-foot office park similar to the Rancho Gowan Business Park to the south was proposed, but the applicant did not want to limit the development to just office uses. Public Works will require a radius to be dedicated on the corner opposite the intersection of Duncan Drive and Helen Avenue, as well as radius corners at Duncan and Bradley. A Variance to allow a reduced corner side setback may be submitted due to the dedication. The front yard area was determined to be on the Bradley frontage, as it is the narrower side on a corner lot. The applicant discovered that an existing structure encroaches into the west side of the property. The site will need to be remapped to eliminate previously platted lot lines cutting through the property. According to the plan presented at the meeting, parking was at capacity; more intense uses allowed in a C-2 (General Commercial) zoning district would exceed the amount of parking that could be provided. Thus, the applicant was urged to reduce the size of the development.

***C) Neighborhood Meetings***

- 03/27/06 A Neighborhood Meeting was held for a related General Plan Amendment (GPA-12367) and the following issues were discussed:
- Request that applicant provide building elevations to neighbors (applicant indicated that he would bring them to the next NARA meeting)
  - Concerns about the buildings located on the east end of the site
  - Request that the landscape buffer along Bradley be continued along the eastern portion of the site to Duncan
  - Request that the maximum height of the buildings be 25 feet
  - Request for an eight-foot wall along Bradley
  - Concern about the finished floor levels of the buildings

Overall, the residents indicated that the project was acceptable.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Net Acres: 5.21 (4.68 acres considered for this request)

**B) Existing Land Use**

Subject Property: Undeveloped  
North: Convalescent Care Center  
Undeveloped  
South: Office/Business Park  
East: Single Family Dwellings  
West: Special Care Facility

**C) Planned Land Use**

Subject Property: DR (Desert Rural Density Residential)  
North: DR (Desert Rural Density Residential)  
South: GC (General Commercial)  
East: R (Rural Density Residential)  
West: SC (Service Commercial)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
North: R-E (Residence Estates)  
South: C-2 (General Commercial)  
East: R-PD2 (Residential Planned Development – 2 Units Per Acre)  
West: C-2 (General Commercial)

**E) General Plan Compliance**

The subject site is located within the Centennial Hills Sector of the Master Plan with a DR (Desert Rural Density Residential) land use designation, which allows for residential development with up to 2.49 units per acre. A related General Plan Amendment (GPA-12367) proposes to amend the Master Plan designation to GC (General Commercial), which allows retail, service, automotive, wholesale, office and other general business uses of an intense character. The proposed rezoning to the C-2 (General Commercial) district will be in compliance with the Master Plan with the approval of GPA-12367. The uses that would be allowed with approval of this review are permitted by the GC designation.

| SPECIAL DISTRICTS/ZONES                    | Yes | No |
|--------------------------------------------|-----|----|
| Special Area Plan                          |     | X  |
| Special Overlay District                   | X   |    |
| Airport Overlay District – 70/105 Feet     | X   |    |
| Trails                                     |     | X  |
| Rural Preservation Neighborhood            | X   |    |
| Development Impact Notification Assessment |     | X  |
| Project of Regional Significance           |     | X  |

#### **Airport Overlay District**

The proposed development is located in the Airport Overlay District. The North Las Vegas Airport Overlay Map indicates that the proposed office development is located in an area restricting the height of structures to 70 feet in the south half or 105 feet in the north half. According to Title 19, a separate Special Use Permit is required for any use in this area exceeding the height limitations. The proposed building is 24 feet tall; therefore, no action is necessary on the part of the applicant.

#### **Rural Preservation Overlay District**

The entire site is located within a Rural Preservation Neighborhood area of the Rural Preservation Overlay District. Within this area, residential development density is limited, unless good cause is shown. Because commercial land uses are sought, density limits do not apply to this application.

### **ANALYSIS**

#### **A) Zoning Code Compliance**

##### **Development Standards**

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

| <b>Standards</b> | <b>Required C-2</b> | <b>Requested</b> | <b>Compliance</b> |
|------------------|---------------------|------------------|-------------------|
| Min. Setbacks    |                     |                  |                   |
| • Front          | 20 Feet             | 20 Feet          | Y                 |
| • Side           | 10 Feet             | 10 Feet          | Y                 |
| • Corner         | 15 Feet             | 8 Feet           | N                 |
| • Rear           | 20 Feet             | 20 Feet          | Y                 |

The corner side setback is proposed to be 8 feet where a minimum of 15 feet is required. The subject deviation is 47 percent.

#### **B) General Analysis and Discussion**

Approval of the requested Variance would allow all of the proposed buildings on the northern portion site to align with Duncan Drive. Two of these three buildings meet the 15-foot minimum corner side yard setback. The third building is closest to a triangular portion of the property that must be dedicated for right-of-way at the intersection of Duncan Drive and Helen Avenue. A driveway with 25-foot radius corners is proposed at this intersection, limiting the available space along the required setback. The building would meet the setback if the dedication were not required. However, the request for a change in the Master Plan land use designation and accompanying Rezoning to General Commercial uses cannot be supported due to incompatibility with the surrounding land uses; therefore, the Variance request also cannot be supported.



## **FINDINGS**

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

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

Additionally, Title 19.18.070(L) states:

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

The applicant has demonstrated a hardship in that part of the required setback area along the Duncan Drive frontage must be dedicated for right-of-way purposes, effectively pushing the required setback further into the property. However, the plan itself represents more intense development than would be compatible with the surrounding land uses; therefore, denial is recommended.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 212 by City Clerk

**APPROVALS** 3

**PROTESTS** 4



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number **VAR-12921** APN: 138-12-110-048

Name of Property Owner: Westcove Works

Name of Applicant: Allan Hendrickson

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

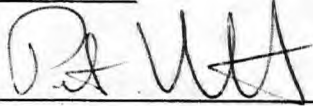
☒ No

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): \_\_\_\_\_

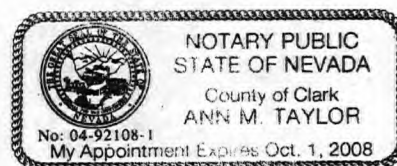
APN: \_\_\_\_\_

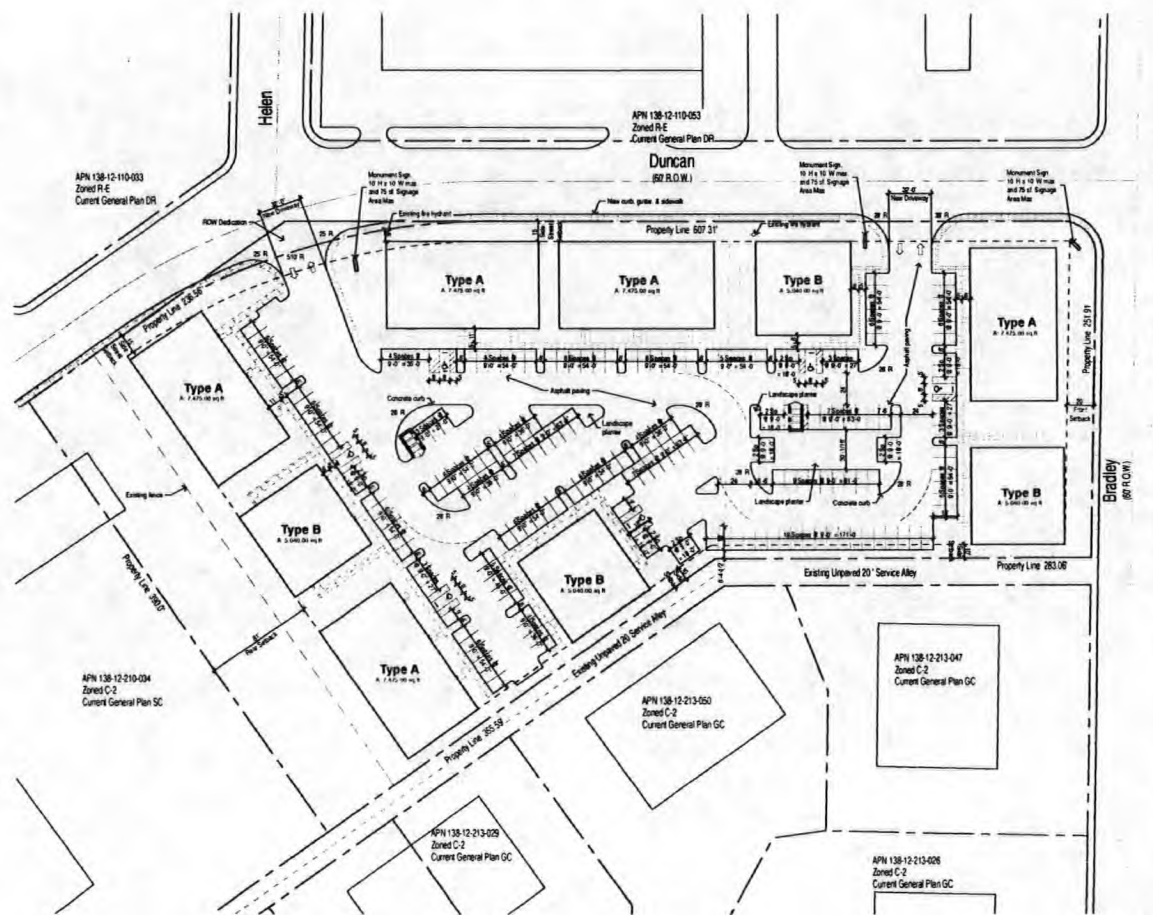
Signature of Property Owner: 

Print Name: Peter Ventrella

Subscribed and sworn before me

This 30<sup>th</sup> day of March, 2006  
Ann M. Taylor  
Notary Public in and for said County and State





# Site Zoning & Data

## SITE DATA:

|                        |                              |
|------------------------|------------------------------|
| PARCEL NUMBER          | 138-12-110-002               |
| JURISDICTION           | CITY OF LAS VEGAS: MDCB      |
| EXISTING GENERAL PLAN  | DR                           |
| PROPOSED GENERAL PLAN  | GC                           |
| EXISTING ZONING        | R-E                          |
| PROPOSED ZONING        | C-2                          |
| SITE AREA              | 20,314 SF<br>4.68 ACRES      |
| SETBACKS - BUILDINGS   | REQ'D PROVIDED               |
| FRONT                  | 25' 25'                      |
| REAR                   | 15' 15'                      |
| SIDE STREET            | 15' 15' (VARIANCE REQUESTED) |
| REAR                   | 25' 25'                      |
| SETBACKS - PARKING     | REQ'D PROVIDED               |
| FRONT                  | 15' NA                       |
| REAR                   | 0' 0'                        |
| MAX HEIGHT & STORES    | 25' 15' 15'                  |
| ACTUAL HEIGHT & STORES | 25' 15' 15'                  |
| LOT COVERAGE ALLOWED   | 30%                          |
| ACTUAL LOT COVERAGE    | 28.7%                        |

## BUILDING AREA:

|          |           |
|----------|-----------|
| OFFICE   | 27,371 SF |
| TYPE A   | 27,371 SF |
| TYPE B   | 17,538 SF |
| TOTAL SF | 44,909 SF |

## PARKING AREA:

|                              |                             |
|------------------------------|-----------------------------|
| TOTAL PARKING REQUIRED       | 57,538                      |
| OFFICE                       | 57,538                      |
| PARKING PROVIDED             | 180                         |
| HANDICAPPED PARKING REQUIRED | 4 (1 VAN SPACE)             |
| TOTAL PARKING PROVIDED       | 180                         |
| LANDSCAPE BUFFER             | REQ'D PROVIDED              |
| FRONT                        | 15' 15'                     |
| REAR                         | 15' 15'                     |
| SIDE STREET                  | 12' 0' (VARIANCE REQUESTED) |
| REAR                         | 15' 15'                     |

## Location Map



## Vicinity Map



**Duncan & Bradley**  
Site Development Review  
SW Corner of Duncan & Bradley  
Las Vegas, NV 89130

**APTUS Architecture**

1200 South 4th Street  
Suite 200  
Las Vegas, Nevada 89104  
P 702.879.1200  
F 702.879.1213  
info@aptusarchitecture.com

APTUS PROJECT NO. 06.021

ARCHITECT

ENGINEER

NOTES

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2 City of Las Vegas 05.03.06  
1 SDC Submittal Review 06.07.06

NO. DESCRIPTION DATE

ISSUED

TITLE

SITE PLAN

DRAWING NO.

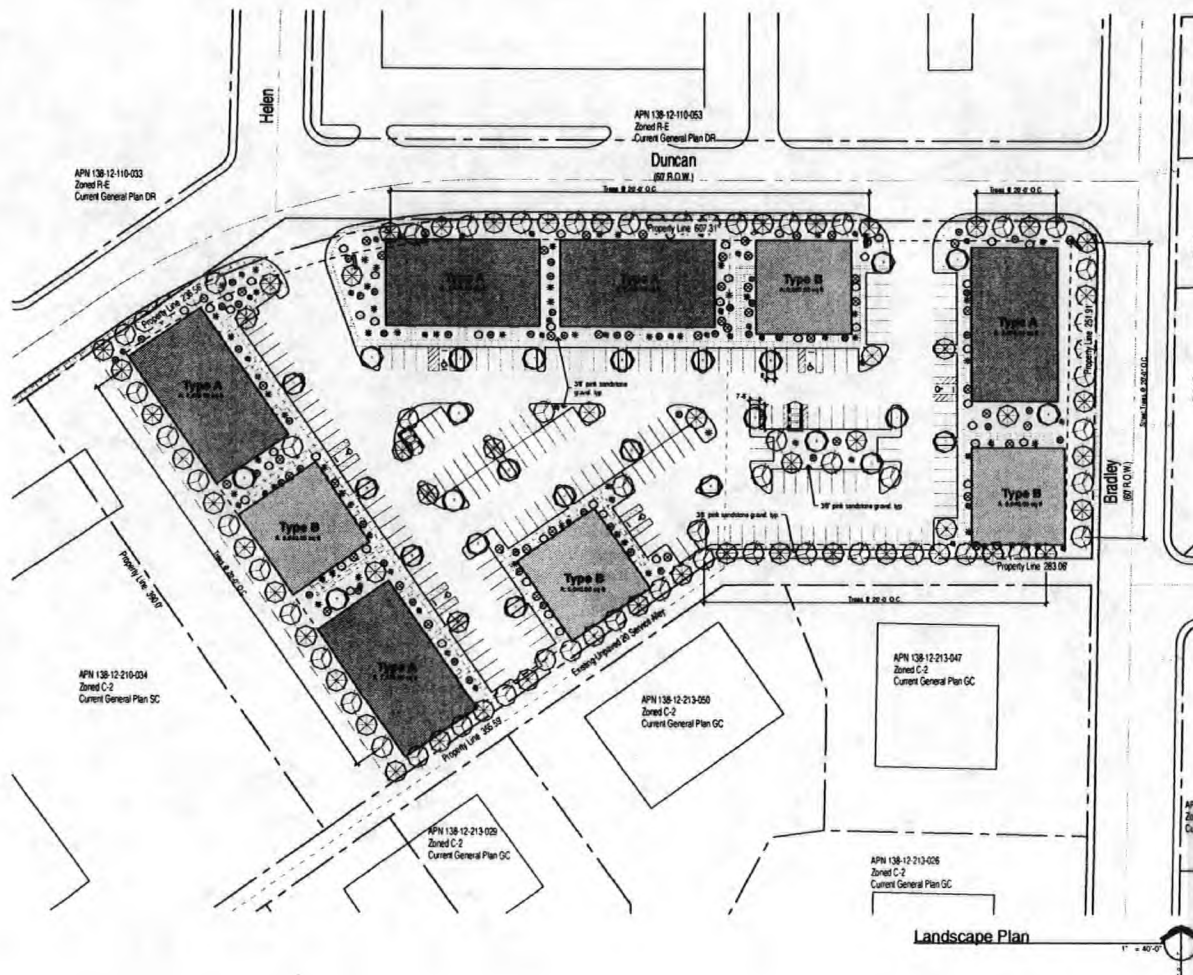
AS100

Duncan & Bradley

RECEIVED

MAY 03 2006





| Landscape Schedule |                      |                          |         |     |
|--------------------|----------------------|--------------------------|---------|-----|
| SYMBOL             | COMMON NAME          | BOTANICAL NAME           | SIZE    | QTY |
| ⊗                  | MORCEL PINE          | pinus edulis             | 24' Dia | 14  |
| ⊗                  | HERITAGE LIVE OAK    | quercus virginiana       | 24' Dia | 42  |
| ⊗                  | CHILEAN MESQUITE     | prosopis juliflora       | 24' Dia | 33  |
| ⊗                  | DESERT CASSIA        | cesia nemoralis          | 10' gal | 140 |
| ⊗                  | MOUNTAIN MAHOGANY    | lignum hibernicum        | 1' gal  | 300 |
| ⊗                  | GREEN BUSH OAK       | laurophyllum obtusilobum | 1' gal  | 140 |
| ⊗                  | TRAILING LANTANA     | lantana montevidensis    | 1' gal  | 140 |
| ⊗                  | RED BIRD OF PARADISE | caecum pinnatifidum      | 1' gal  | 140 |

**Duncan & Bradley**  
Site Development Review  
SW Corner of Duncan & Bradley  
Las Vegas, NV 89130

**APTUS Architecture**  
1300 South 4th Street  
Suite 208  
Las Vegas, Nevada 89104  
P 702.878.1300  
F 702.878.1212  
info@aptusarchitecture.com  
APTUS PROJECT NO. 06.021  
ARCHITECT

ENGINEER

NOTES

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2 City of Las Vegas 05.03.06  
1 SDI Submittal (Revisions)  
1 City of Las Vegas 04.07.06  
1 SDI Submittal  
NO DISCRIPTION DATE  
ISSUED

TITLE  
**LANDSCAPE PLAN**

DRAWING NO.  
**L100**  
Duncan & Bradley

**VAR-12921  
REVISED  
05/25/06 PC**

RECEIVED

MAY 03 2006

April 6, 2006

City of Las Vegas  
Planning and Development Department  
731 s. 4<sup>th</sup> Street  
Las Vegas, Nevada 89101

RE: APN: 138-12-110-048  
Subject: Site Development Review

Dear Sirs:

The intended use for the property at the southwest corner of Duncan and Bradley is Commercial and Office Space.

This property currently has a General Plan designation of "DR" and a zoning designation of "R-E". We are requesting a general plan amendment to "GC", a zone change to "C-2", and a site development review for this parcel. The properties immediately to the west and south are currently under the general plan designation of "GC" and are zoned "C-2". We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

We intend to develop and build on this lot and increase the value of the neighborhood, which will include street improvements and landscaping as required by the City of Las Vegas. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

The site has 57,535 sf of office space. There are 192 parking spaces required and provided. We are requesting a waiver of the landscape standards for 4 finger islands and a waiver of the side landscape buffer of 6'-4" where 8'-0" is required and a waiver of the corner side landscape buffer of 8'-0" where 15'-0" is required. The majority of the finger islands have been provided and we are landscaping the perimeter with trees at 20'-0" o.c. to enhance the landscaping. All other buffers and landscaping is per Title 19.

Please consider this Site Development Review request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,

*Allan G. Hendrickson* for

Allan Hendrickson  
Field Development

RECEIVED

VAR-12921  
REVISED  
05/25/06 PC

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



05-16-06  
RONALD MONTESANO  
5121 BIG RIVER AVE  
LAS VEGAS, NV. 89130

MAY 19 2006

I WISH TO OPPOSE THE FOLLOWING REQUESTS FOR CHANGES TO THE  
CURRENT ZONING.

SDR-12920  
VAR-12921  
ZON-12370  
GPA-12367

THIS IS AN AREA OF RURAL ESTATES AND GATED COMMUNITIES ALONG  
WITH HORSE PROPERTY. THERE IS NO REASON TO CHANGE OUR LIFESTYLE FOR  
A MONEY MAKING DEVELOPMENT. LET THE DEVELOPMENT FOLLOW RANCHO  
ROAD WHERE COMMERCIAL ZONING IS IN PLACE AND KEEP OUR LAND IN 1/3  
AND 1/2 ACRE RURAL HOMES.

THANK YOU

*Ronald Montesano*

ITEM # 11-14  
CASE # \_\_\_\_\_  
PC MEETING 5.25.06 PC

P

# Telephone Protest/ Approval Log

Meeting Date: 5/25/06

Case Number: SDR-12920, 1292  
CPA-12367, ZEN-12370, VAR#

Date: 5/19/06  
Name: Mary Greene  
Address: 3938 Leon Ave  
Calverly, VA 22813  
Phone: 870-1794  
☒ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

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☐ PROTEST ☐ APPROVE

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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-12367, ZON-12370, AND VAR-12921

SDR-12920 - PUBLIC HEARING - APPLICANT: ALLAN HENDRICKSON/THETA FORCE - OWNER: WESTCARE WORKS, INC. - Request for a Site Development Plan Review FOR A PROPOSED 57,535 SQUARE-FOOT COMMERCIAL/OFFICE DEVELOPMENT AND A WAIVER OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS on 5.21 acres at the southwest corner of Duncan Drive and Bradley Road (APN 138-12-110-048), R-E (Residence Estates) Zone [PROPOSED: C-2 (General Commercial) Zone], Ward 6 (Ross). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Backup referenced from the 05/25/06 Planning Commission meeting Item 14

**MOTIONS:**

**ROSS - APPROVED subject to conditions - UNANIMOUS**

**MINUTES:**

NOTE: See Item 124 [GPA-12367] for all related discussion.

(1:59 - 2:05)

3-1055

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12370) and Variance (VAR-12921) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 05/03/06 and building elevations date stamped 04/11/06, except as amended by conditions herein. The applicant shall modify these designs where necessary to ensure that the project provides the minimum

**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**CONDITIONS - continued:**

setbacks required in the O (Office) zoning district.

4. A Waiver from Title 19.12.040 is hereby approved, to allow a six-foot buffer along a portion of the south property line where a minimum of eight feet is required.
5. An Exception from Title 19.10.010.J.11 is hereby approved, to allow 18 parking lot landscape planter islands where 32 islands are required.
6. All trash areas shall contain a roof or trellis structure.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include an additional screening tree along the Duncan Drive frontage within the proposed planter area.
8. The perimeter landscaping along Bradley Road and Duncan Drive shall be designed and landscaped to match that of the adjacent business park to the south of the site along Bradley Road.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All utility boxes exceeding 27 cubic feet shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, 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.



**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**CONDITIONS - continued:**

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

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

17. 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.

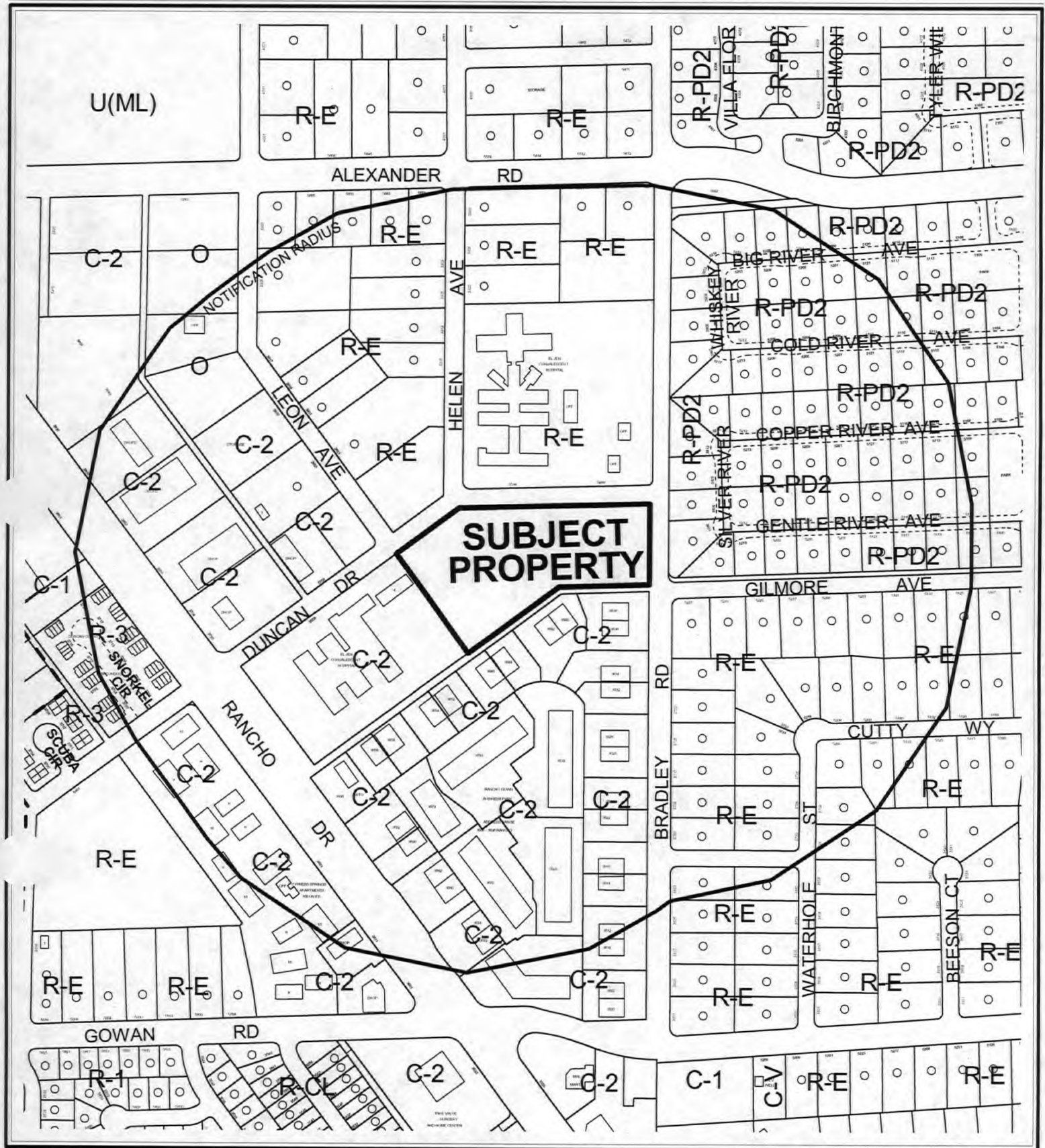
18. All pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.

19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.

20. All landscaping and private improvements installed with this project 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 to discuss fire requirements for the proposed use of this facility.

22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-12370 and all other applicable site-related actions.



**CASE: SDR-12920**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

R-E (RESIDENCE ESTATES) UNDER RESOLUTION OF INTENT TO  
C-2 (GENERAL COMMERCIAL)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: SDR-12920 - APPLICANT: ALLAN HENDRICKSON/THETA**  
**FORCE - OWNER: WESTCARE WORKS, INC.**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12370) and Variance (VAR-12921) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan date stamped 05/03/06 and building elevations date stamped 04/11/06, except as amended by conditions herein. The applicant shall modify these designs where necessary to ensure that the project provides the minimum setbacks required in the O (Office) zoning district.
4. A Waiver from Title 19.12.040 is hereby approved, to allow a six-foot buffer along a portion of the south property line where a minimum of eight feet is required.
5. An Exception from Title 19.10.010.J.11 is hereby approved, to allow 18 parking lot landscape planter islands where 32 islands are required.
6. All trash areas shall contain a roof or trellis structure.
7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. The technical landscape plan shall include an additional screening tree along the Duncan Drive frontage within the proposed planter area.
8. The perimeter landscaping along Bradley Road and Duncan Drive shall be designed and landscaped to match that of the adjacent business park to the south of the site along Bradley Road.



9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All utility boxes exceeding 27 cubic feet shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaries. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Coordinate with the City Surveyor to determine whether a Reversionary Map or other map is necessary; if such mapping is required, it should record prior to the issuance of any building permits for this site.
17. 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.
18. All pad sites comprising this overall site shall have perpetual common access to all driveways connecting the overall site to the abutting public streets.



19. Driveways shall be designed, located and constructed in accordance with Standard Drawing #222A.
20. All landscaping and private improvements installed with this project 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 to discuss fire requirements for the proposed use of this facility.
22. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-12370 and all other applicable site-related actions.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a proposed 57,535 square-foot commercial/office development and a Waiver of perimeter landscape buffer requirements on 5.21 acres at the southwest corner of Duncan Drive and Bradley Road.

**EXECUTIVE SUMMARY**

The proposed development, while well-designed, is not compatible with the surrounding residential and low-intensity commercial uses. Parking is only available for office uses; more intense uses such as retail would increase parking requirements beyond the capacity of the site. If approved, the site must be remapped as a single lot that would exclude the existing building that encroaches onto the west edge of the site. The landscape waiver request can be supported, as the buffer abuts an alley separating the site from existing commercial development, and adequate landscaping is provided within the proposed buffer.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                                                           |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 11/18/04 | The City Council struck a General Plan Amendment (GPA-5195) to amend the Master Plan from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential) on the subject site. Staff had recommended denial.                                                                                       |
| 05/12/05 | The Planning Commission agreed to Withdraw Without Prejudice a Rezoning (ZON-6379) from R-E (Residence Estates) to R-PD9 (Residential Planned Development – 9 Units Per Acre) and Site Development Plan Review (SDR-6379) for a proposed 48-unit four-plex development on the subject site. Staff had recommended denial. |
| 05/26/05 | The Planning Commission agreed to Withdraw Without Prejudice a General Plan Amendment (GPA-6270) to amend the Master Plan from DR (Desert Rural Density Residential) to MLA (Medium-Low Attached Density Residential) on the subject site. Staff had recommended denial.                                                  |
| 04/27/06 | The Planning Commission held a related General Plan Amendment (GPA-12367) and a Rezoning (ZON-12370) in abeyance to the 05/25/06 Planning Commission meeting in order to be heard with this item and the companion Variance (VAR-12921). Staff recommended denial.                                                        |

- 05/25/06      The Planning Commission recommended approval of companion items General Plan Amendment (GPA-12367), Rezoning (ZON-12370), and Variance (VAR-12921) concurrently with this application.
- 05/25/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #14/ss).

***B) Pre-Application Meeting***

- 03/27/06      A General Plan Amendment and Rezoning to allow office and retail uses on this site were already submitted. A 70,140 square-foot office park similar to the Rancho Gowan Business Park to the south was proposed, but the applicant did not want to limit the development to just office uses. Public Works will require a radius to be dedicated on the corner opposite the intersection of Duncan Drive and Helen Avenue, as well as radius corners at Duncan and Bradley. A Variance to allow a reduced corner side setback may be submitted due to the dedication. The front yard area was determined to be on the Bradley frontage, as it is the narrower side on a corner lot. The applicant discovered that an existing structure encroaches into the west side of the property. The site will need to be remapped to eliminate previously platted lot lines cutting through the property. According to the plan presented at the meeting, parking was at capacity; more intense uses allowed in a C-2 zoning district would exceed the amount of parking that could be provided. Thus, the applicant was urged to reduce the size of the development.

***C) Neighborhood Meetings***

- 03/27/06      A Neighborhood Meeting was held for a related General Plan Amendment (GPA-12367). The following issues were discussed:
- Request that applicant provide building elevations to neighbors (applicant indicated that he would bring them to the next NARA meeting)
  - Concerns about the buildings located on the east end of the site
  - Request that the landscape buffer along Bradley be continued along the eastern portion of the site to Duncan
  - Request that the maximum height of the buildings be 25 feet
  - Request for an eight-foot wall along Bradley
  - Concern about the finished floor levels of the buildings

Overall, the residents indicated that the project was acceptable.



## **DETAILS OF APPLICATION REQUEST**

### **A) *Site Area***

Net Acres: 5.21 (4.68 acres considered for this request)

### **B) *Existing Land Use***

Subject Property: Undeveloped  
North: Convalescent Care Center  
Undeveloped  
South: Office/Business Park  
East: Single Family Dwellings  
West: Special Care Facility

### **C) *Planned Land Use***

Subject Property: DR (Desert Rural Density Residential)  
North: DR (Desert Rural Density Residential)  
South: GC (General Commercial)  
East: R (Rural Density Residential)  
West: SC (Service Commercial)

### **D) *Existing Zoning***

Subject Property: R-E (Residence Estates)  
North: R-E (Residence Estates)  
South: C-2 (General Commercial)  
East: R-PD2 (Residential Planned Development – 2 Units Per Acre)  
West: C-2 (General Commercial)

### **E) *General Plan Compliance***

The subject site is located within the Centennial Hills Sector of the Master Plan with a DR (Desert Rural Density Residential) land use designation, which allows for residential development with up to 2.49 Units Per Acre. A related General Plan Amendment (GPA-12367) proposes to amend the Master Plan designation to GC (General Commercial), which allows retail, service, automotive, wholesale, office and other general business uses of an intense character. The proposed rezoning to the C-2 (General Commercial) district will be in compliance with the Master Plan with the approval of GPA-12367. The uses that would be allowed with approval of this review are permitted by the GC designation.

## **PROJECT DESCRIPTION**

The proposed development includes nine buildings situated at the setback lines, with parking and circulation at the interior of the site. Access is from two driveways on Duncan Road, one of which is aligned with the intersection of Helen Avenue. An existing 20-foot unpaved service alley is located along the southern property line on the outside of the subject property, providing access from Bradley Road to Rancho Drive.

All buildings are single story and consist of stucco and stone exteriors with parapets for screening. Two floor plans are proposed: one is 7,475 square feet, the other is 5,040 square feet. Commercial uses are expected for the buildings; however, there is only enough parking at this time for office uses.

## 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-2                                                | Provided                                   | Compliance |
|-----------------------|-------------------------------------------------------------|--------------------------------------------|------------|
| Min. Lot Size         | N/A                                                         | 4.68 acres                                 | N/A        |
| Min. Lot Width        | 100 Feet                                                    | 252 Feet                                   | Y          |
| Min. Setbacks         |                                                             |                                            |            |
| • Front (Bradley Rd.) | 20 Feet                                                     | 20 Feet                                    | Y          |
| • Side                | 10 Feet                                                     | 10 Feet                                    | Y          |
| • Corner              | 15 Feet                                                     | 8 Feet                                     | N          |
| • Rear                | 20 Feet                                                     | 20 Feet                                    | Y          |
| Max. Lot Coverage     | 50 %                                                        | 28 %                                       | Y          |
| Max. Building Height  | None (subject to Residential Adjacency)                     | 24 Feet                                    | Y          |
| Trash Enclosure       | Screened, gated, roofed & 50 feet from residential property | Screened, gated & 50 feet from residential | N          |
| Loading Space         | 4 spaces                                                    | None                                       | Y          |
| Mech. Equipment       | Screened                                                    | Screened                                   | Y          |

The corner side setback is proposed to be 8 feet where a minimum of 15 feet is required. A Variance (VAR-12921) has been submitted to reduce the required setback. The trash enclosures should be roofed; an exception to this standard was not requested by the applicant, and it will therefore be required as a condition of approval. Loading spaces are not required for office developments if it can be shown that no deliveries will be made to the site. Retail and other commercial uses would typically require the loading spaces.

#### A2) Residential Adjacency Standards

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

- a) Proximity slope. The height of buildings along the east and north sides of the project is 24 feet. The Proximity Slope standard requires these buildings to be set back at least 72 feet from adjacent residential property. The proposed buildings will be set back at least 75 feet, thereby meeting the standard.
- b) Building setback. Buildings proposed along the east and north sides of the property are set back the required distances to meet this standard.

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 |            |
| Office, General | 57,535 SF        | 1 space/300 SF GFA | 186        | 6        | 186        |
| <b>TOTAL</b>    | <b>57,535 SF</b> |                    | <b>192</b> |          | <b>192</b> |

A total of 192 parking spaces is required for office uses only. More intense commercial uses, such as retail or auto body shops, would require additional parking. The site plan indicates that 192 spaces will be provided, in conformance with the Title 19 standard for office uses.

A4) Landscape and Open Space Standards

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

| Standards                                  | Required                             |                        | Provided               |
|--------------------------------------------|--------------------------------------|------------------------|------------------------|
|                                            | Ratio                                | Trees                  |                        |
| Parking Area                               | 1 Island/6 Spaces<br>1 Tree/6 Spaces | 32 Islands<br>32 Trees | 18 Islands<br>44 Trees |
| Buffer:                                    |                                      |                        |                        |
| • Min. Trees (Duncan/Bradley)              | 1 Tree/20 Linear Feet                | 43 Trees               | 42 Trees               |
| • Min. Trees (south and west buffers)      | 1 Tree/30 Linear Feet                | 30 Trees               | 46 Trees               |
| • Min. Zone Width (Duncan/Bradley)         | 15 Feet                              |                        | 15 Feet                |
| • Min. Zone Width (south and west buffers) | 8 Feet                               |                        | 6 Feet                 |
| • Wall height                              | Not required                         |                        | None                   |

A Waiver is requested from the standard requiring eight-foot side and rear perimeter landscape buffers. Additionally, too few landscape islands are provided within the parking area; however, 22 of the parking spaces are served by a planter containing 10 trees inserted between parking rows, making up the deficiencies elsewhere in the lot. One additional perimeter screening tree can be placed in the corner side buffer to meet Code requirements.

A5) Sign Standards

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

| <b>Monument Signs:</b> |                                                |                                                                            |
|------------------------|------------------------------------------------|----------------------------------------------------------------------------|
| <b>Standards</b>       | <b>Allowed</b>                                 | <b>Provided</b>                                                            |
| Maximum Number         | 1 / 200 linear feet street frontage<br>4 total | 1 / 400 linear feet street frontage<br>3 total (2 on Duncan, 1 on Bradley) |
| Maximum Area           | 75 SF/sign                                     | 75 SF/sign                                                                 |
| Maximum Height         | 10 Feet                                        | 10 Feet                                                                    |
| Minimum Setback        | 5 Feet                                         | 5 Feet                                                                     |

Three monument signs are indicated on the site plan. They will meet Title 19 monument signage standards for the C-2 (General Commercial) zoning district.

**B) General Analysis and Discussion**

- Zoning

The subject site is zoned R-E (Residence Estates). A related General Plan Amendment to change the Master Plan land use designation from DR (Desert Rural Density Residential) and Rezoning (ZON-12370) to amend the zoning classification from R-E to C-2 (General Commercial) are proposed to allow for a wide range of commercial uses. The General Plan Amendment and Rezoning are not recommended for this site, given its proximity to single-family residential uses and its location away from major thoroughfares and commercial corridors.

- Site Plan

The site is currently located on three platted lots and will have to be remapped prior to the issuance of permits, if this request is approved, so that the buildings can be located in the areas proposed by the site plan. An existing building on the property abutting this site to the west encroaches onto the subject site. When the site is remapped, the portion on the west side of the existing fence will be retained by the building's owner. The buildings proposed along the west side of the property take this into account and would meet the eventual 20-foot rear setback requirement.



The accompanying request for a General Plan Amendment and Rezoning for General Commercial uses would allow uses that are more intense than the site can handle with regard to parking. As new uses allowed by C-2 (General Commercial) zoning are introduced on the site, the parking requirement rises, necessitating a Variance of Title 19 parking requirements. This is part of the justification for denial of the Site Development Plan Review, in addition to the incompatibility of the proposed land uses with existing and planned land uses in the surrounding area.

- Waivers

A Waiver of the landscape buffer width along a portion of the southern property line is required. The applicant proposes a six-foot wide buffer where eight feet is the minimum required. This allows for provision of a required 24-foot drive aisle for two-way traffic in the parking area immediately to the north. The request is appropriate, as the buffer abuts an alley separating the site from existing commercial development, and adequate landscaping is provided within the proposed buffer. A related Variance (VAR-12921) is also required to reduce the minimum corner side setback along Duncan Drive. Staff is not in support of this request.

- Landscape Plan

The site is generally compliant with Title 19 landscaping requirements, with the exception of the reduced buffer width along a portion of the southern property line and several landscape fingers that are missing from the parking area. The Waiver request to reduce the buffer and an exception to the parking landscape standards are supported. The primary screening tree is Mondel Pine, while Chilean Mesquite and Heritage Live Oak are used within the parking area. One tree is missing from the corner side buffer along Duncan Drive. A condition of approval will require the planting of this additional tree.

- Elevation

The submitted elevations meet Title 19.08.050 standards for building design, using variations in material, color and relief.

- Floor Plan

Two floor plans are proposed, containing speculative space for office or retail uses.

## **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 submitted site plan indicates that the proposed buildings would have office uses, based on the amount of parking available. However, the uses that would be allowed by the proposed C-2 (General Commercial) zoning district would not be compatible with the existing office and single-family uses in the surrounding area. The encroachment of an intense commercial zoning district into a residential area is not desirable, and is therefore not recommended. The allowance of additional commercial uses on this site is not recommended, as the site could not accommodate additional traffic or parking for those uses.

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

The proposed development generally meets most design, placement and landscape standards. Approval of a Waiver of perimeter landscape buffer width is required, as is a Variance to reduce the required corner side setback along Duncan Drive. However, the proposed land uses are only consistent if a General Plan Amendment and Rezoning are approved. These requests are not supported; therefore, the proposed development cannot be supported.

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

Access to the site is from Duncan Drive, a 60-foot right-of-way. This roadway is adequate for the development as shown for office uses; however, Duncan Drive and Bradley Road are not intended to service a commercial area, nor are they large enough to accommodate the more intensive commercial uses permitted in the C-2 (General Commercial) zoning district.

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

The proposed building and landscape materials are appropriate for the area and are consistent with the City's requirements.

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;"**

Elevations show a coherent design meeting the standards for height, bulk, scale, exterior materials and building placement. They provide visual interest. However, the development as a whole is too intense to be compatible with the surrounding land uses and development.

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

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

**PLANNING COMMISSION ACTION**

Conditions 3 and 8 were changed by the Planning Commission as shown.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

10

**ASSEMBLY DISTRICT** 1

**SENATE DISTRICT** 4

**NOTICES MAILED** 211 by Planning Department

**APPROVALS** 3

**PROTESTS** 4



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: SDR-12920 APN: 138-12-110-048

Name of Property Owner: Westcare Works

Name of Applicant: Allan Hendrickson / Theta Force

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: \_\_\_\_\_

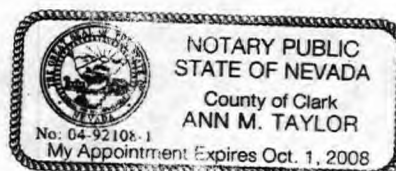
Signature of Property Owner: Pete Vertell

Print Name: Peter Vertell

Subscribed and sworn before me

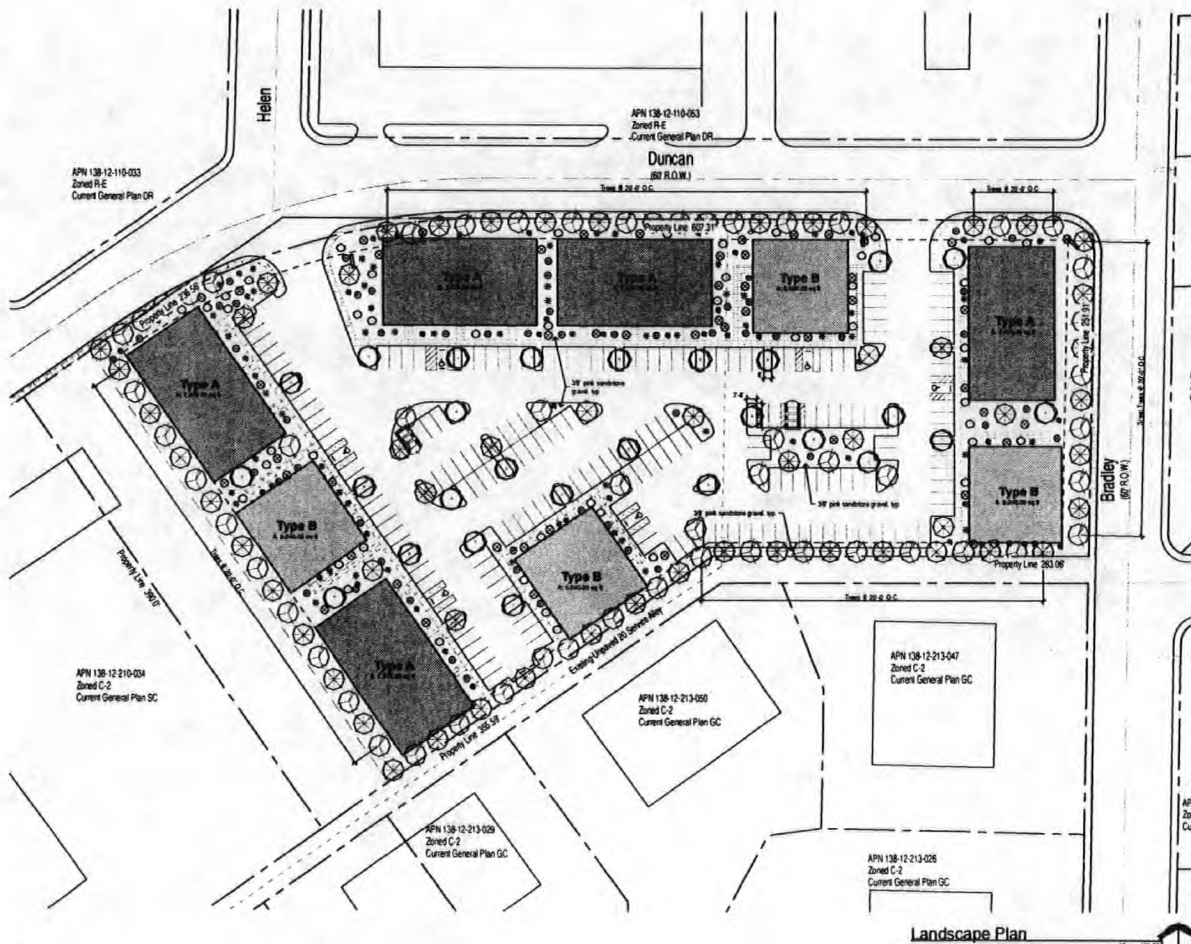
This 30<sup>th</sup> day of March, 2006

Ann M. Taylor  
Notary Public in and for said County and State









| Landscape Schedule |                      |                         |         |     |
|--------------------|----------------------|-------------------------|---------|-----|
| SYMBOL             | COMMON NAME          | BOTANICAL NAME          | SIZE    | QTY |
| ⊗                  | MCHIEL PINE          | pinus edulis            | 24' Dia | 14  |
| ⊗                  | HERITAGE LIVE OAK    | quercus virginiana      | 24' Dia | 62  |
| ⊗                  | CHILEAN MESQUITE     | prosopis juliflora      | 24' Dia | 33  |
| ⊗                  | DESERT CASSIA        | warburtonia             | 10' gal | 140 |
| ⊗                  | MOUNTAIN MAHOGANY    | leguminosae             | 1' gal  | 300 |
| ⊗                  | GREEN BUSH DASY      | erigeron philadelphicus | 1' gal  | 140 |
| ⊗                  | TRAILING LANTANA     | lantana montevidensis   | 1' gal  | 140 |
| ⊗                  | RED BIRD OF PARADISE | caecilia pulchella      | 1' gal  | 140 |

**Duncan & Bradley**  
Site Development Review  
SW Corner of Duncan & Bradley  
Las Vegas, NV 89130

**APTUS Architecture**  
1200 South 4th Street  
Suite 200  
Las Vegas, Nevada 89106  
P 702.879.1200  
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info@aptusarchitecture.com  
APTUS PROJECT NO. 06.021  
ARCHITECT

ENGINEER

NOTES

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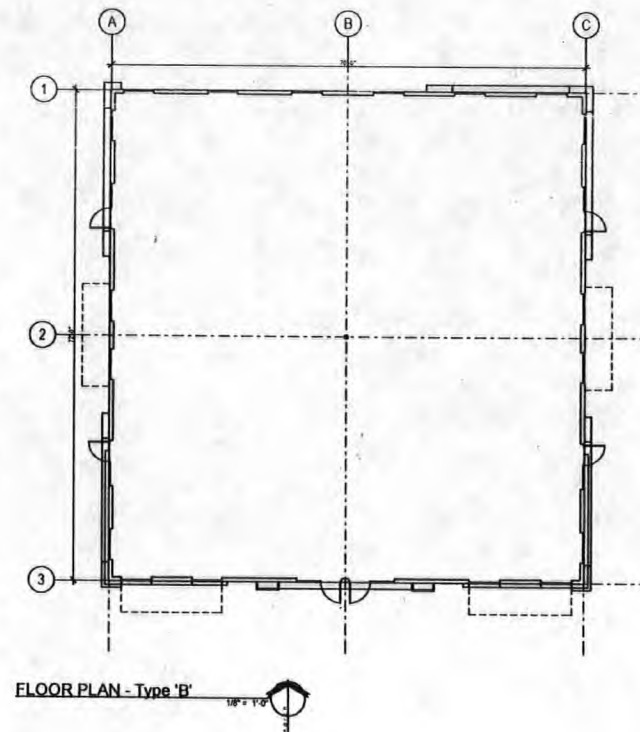
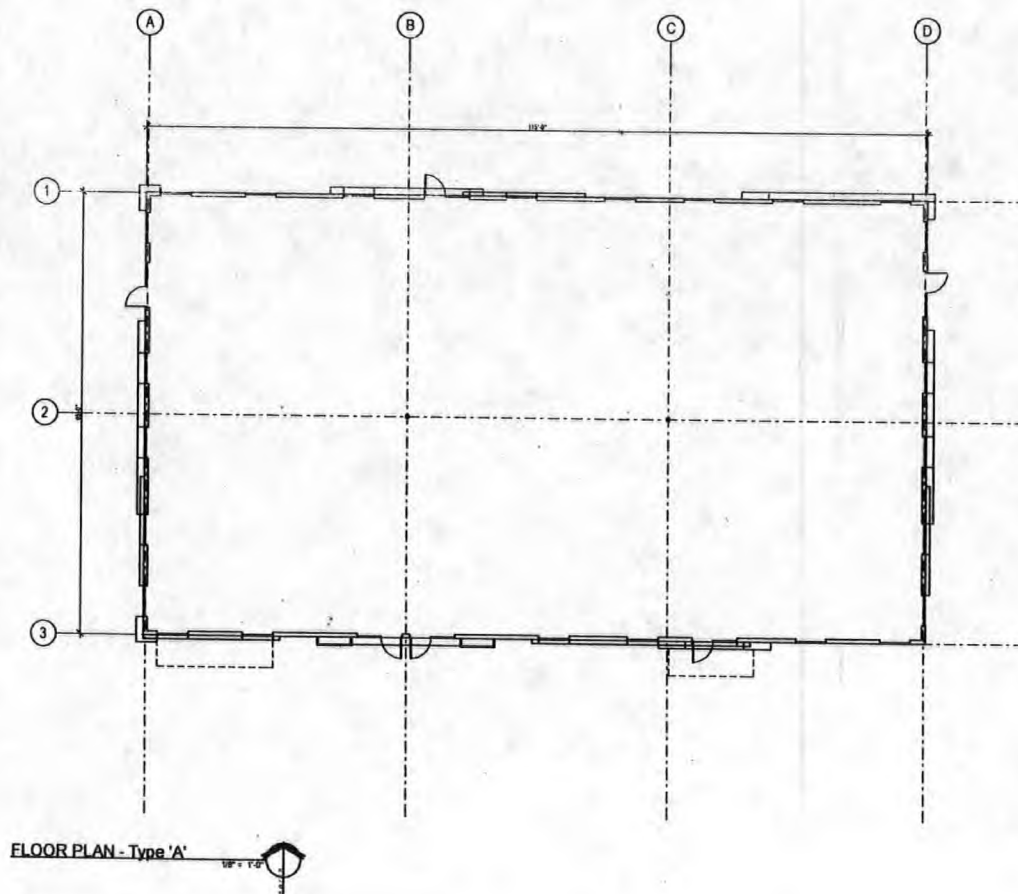
2 City of Las Vegas 05.03.06  
SDR Submittal (Revisions)  
1 City of Las Vegas 04.07.06  
SDR Submittal  
NO DESCRIPTION DATE  
ISSUED

TITLE  
**LANDSCAPE PLAN**

DRAWING NO.  
**L100**  
Duncan & Bradley

**SDR-12920  
REVISED  
05/25/06 PC**

RECEIVED  
MAY 03 2006



**SDR-12920**  
**05/25/06 PC**

**RECEIVED**  
 APR 11 2006

**Duncan & Bradley**  
 Site Development Review  
 SW Corner of Duncan & Bradley  
 Las Vegas, NV 89130

**APTUS Architecture**

1350 South 9th Street  
 Suite 206  
 Las Vegas, Nevada 89104  
 P 702.878.1200  
 F 702.878.1212  
 info@aptusarchitecture.com

APTUS PROJECT NO. 06.021

ARCHITECT

ENGINEER

NOTES

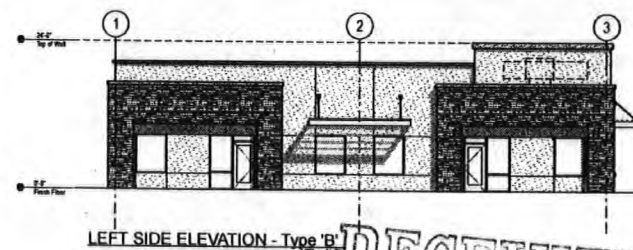
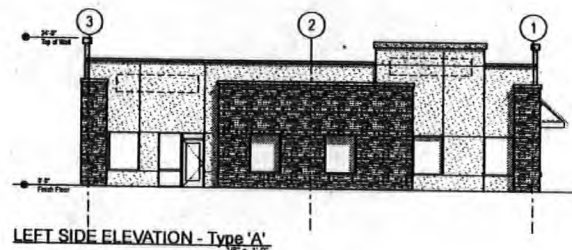
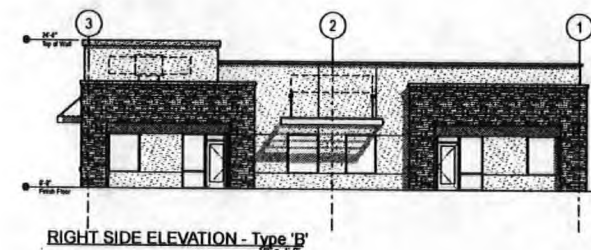
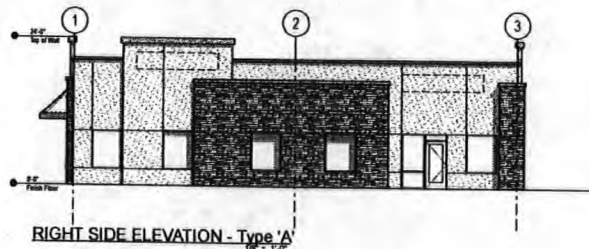
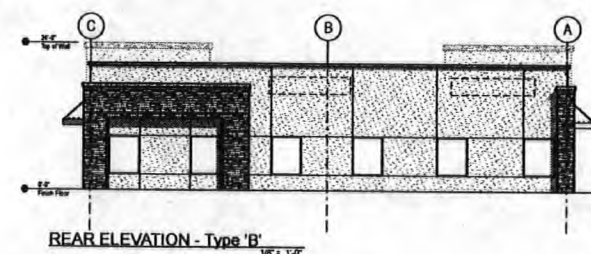
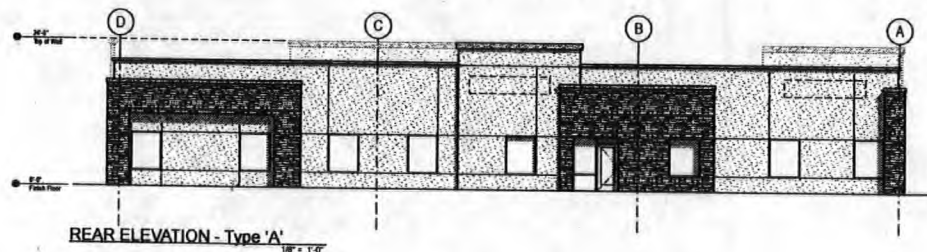
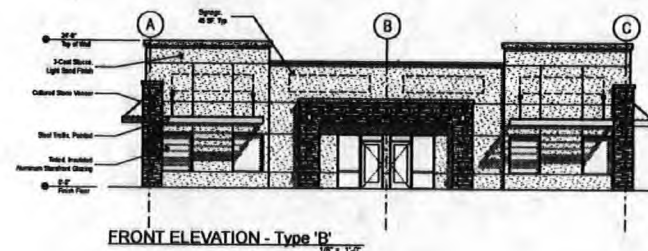
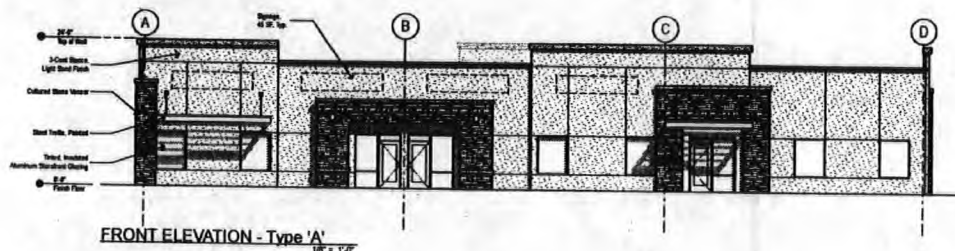
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| NO. | DESCRIPTION       | DATE     |
|-----|-------------------|----------|
| 1   | City of Las Vegas | 04.07.06 |
|     | SDR Submittal     |          |

ISSUED

TITLE  
**FLOOR PLANS**  
**TYPE A & B**

DRAWING NO.  
**A100**  
 Duncan & Bradley



**Duncan & Bradley**  
Site Development Review  
SW Corner of Duncan & Bradley  
Las Vegas, NV 89130

**APTUS Architecture**

1380 South 4th Street  
Suite 200  
Las Vegas, Nevada 89104  
P 702.878.1200  
F 702.878.1210  
info@aptusarch.com

APTUS PROJECT NO. 06.021

ARCHITECT

DESIGNER

NOTES

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| NO. | DESCRIPTION       | DATE     |
|-----|-------------------|----------|
| 1   | City of Las Vegas | 04.07.06 |
| 2   | SDR Submittal     |          |
| 3   | ISSUED            |          |

TITLE  
**EXTERIOR ELEVATIONS**

DRAWING NO.  
**A200**  
Duncan & Bradley

**SDR-12920**  
**05/25/06 PC**

**RECEIVED**  
APR 11 2006



|                                                                                                                                                                                                                                                                                                                                                              |                         |        |             |       |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------|--------|-------------|-------|
| SDR 12920                                                                                                                                                                                                                                                                                                                                                    |                         |        |             |       |
| Theta Force                                                                                                                                                                                                                                                                                                                                                  |                         |        |             |       |
| SWC Duncan & Bradley                                                                                                                                                                                                                                                                                                                                         |                         |        |             |       |
| Proposed 57.535 thousand square foot office development.                                                                                                                                                                                                                                                                                                     |                         |        |             |       |
| Traffic produced by proposed development:                                                                                                                                                                                                                                                                                                                    |                         |        |             |       |
|                                                                                                                                                                                                                                                                                                                                                              | DESCRIPTION             | #UNIT  | RATE/# UNIT | TOTAL |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                                                                                  | BUSINESS PARK [1000 SF] | 57.535 | 12.76       | 734   |
| AM Peak Hour                                                                                                                                                                                                                                                                                                                                                 |                         |        | 1.43        | 82    |
| PM Peak Hour                                                                                                                                                                                                                                                                                                                                                 |                         |        | 1.29        | 74    |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                                                                                        |                         |        |             |       |
| Existing traffic on all nearby streets: Counts not available for Duncan Drive                                                                                                                                                                                                                                                                                |                         |        |             |       |
| Bradley Road                                                                                                                                                                                                                                                                                                                                                 |                         |        |             |       |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                                                                                  | 814                     |        |             |       |
| PM Peak Hour                                                                                                                                                                                                                                                                                                                                                 | 65                      |        |             |       |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                                                                                        |                         |        |             |       |
| Rancho Drive                                                                                                                                                                                                                                                                                                                                                 |                         |        |             |       |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                                                                                                                  | 36,225                  |        |             |       |
| PM Peak Hour                                                                                                                                                                                                                                                                                                                                                 | 2898                    |        |             |       |
| (heaviest 60 minutes)                                                                                                                                                                                                                                                                                                                                        |                         |        |             |       |
| Traffic Capacity of adjacent streets:                                                                                                                                                                                                                                                                                                                        |                         |        |             |       |
| Adjacent street ADT                                                                                                                                                                                                                                                                                                                                          |                         |        |             |       |
| Capacity                                                                                                                                                                                                                                                                                                                                                     |                         |        |             |       |
| Bradley Road                                                                                                                                                                                                                                                                                                                                                 | 3000                    |        |             |       |
| Rancho Drive                                                                                                                                                                                                                                                                                                                                                 | 51700                   |        |             |       |
| This project will add approximately 734 trips per day on Duncan, Bradley & Rancho. This will increase expected volumes by about 90 percent on Bradley and about 2 percent on Rancho. Bradley is at about 27 percent of capacity and Rancho is at about 70 percent of capacity. Counts are not available for Duncan, but it is believed to be under capacity. |                         |        |             |       |
| Based on Peak Hour use, this development will add roughly 74 additional cars into the area; which works out to about five every four minutes.                                                                                                                                                                                                                |                         |        |             |       |
| Note that this report assumes all traffic from this development uses all named streets.                                                                                                                                                                                                                                                                      |                         |        |             |       |



GPA-12367, ZON-12370, VAR-12920 & SDR-12921 - APPLICANT: ALLAN HENDRICKSON/THETA  
FORCE - OWNER: WESTCARE WORKS, INC.  
SOUTHWEST CORNER OF BRADLEY ROAD AND DUNCAN DRIVE  
MAY 25, 2006 PLANNING COMMISSION

04/17/06





GPA-12367, ZON-12370, VAR-12921 & SDR-12920 - APPLICANT: ALLAN HENDRICKSON/THETA  
FORCE - OWNER: WESTCARE WORKS, INC.  
SOUTHWEST CORNER OF BRADLEY ROAD AND DUNCAN DRIVE  
MAY 25, 2006 PLANNING COMMISSION

04/17/06



GPA-12367, ZON-12370, VAR-12921 & SDR-12920 - APPLICANT: ALLAN HENDRICKSON/THETA  
FORCE - OWNER: WESTCARE WORKS, INC.  
SOUTHWEST CORNER OF BRADLEY ROAD AND DUNCAN DRIVE  
MAY 25, 2006 PLANNING COMMISSION

04/17/06



May 8, 2006

City of Las Vegas  
Planning and Development Department  
731 s. 4<sup>th</sup> Street.  
Las Vegas, Nevada 89101

RE: APN: 138-12-110-048  
Subject: Setback Variance

Dear Sirs:

The intended use for the property at the southwest corner of Duncan and Bradley is Commercial and Office Space.

This property currently has a General Plan designation of "DR" and a zoning designation of "R-E". We are requesting a general plan amendment to "GC", a zone change to "C-2", a site development review, and a waiver for this parcel. The properties immediately to the west and south are currently under the general plan designation of "GC" and are zoned "C-2". We feel this general plan amendment and zone change would be of similar use to that which is currently in the area.

We intend to develop and build on this lot and increase the value of the neighborhood, which will include street improvements and landscaping as required by the City of Las Vegas. This project will provide a place of business and opportunity for people to work closer to their own homes which would reduce the need for time consuming commutes.

The site has 57,535 sf of office space. There are 192 parking spaces required and provided. We are requesting a variance of the corner side setback of 8'-0" where 15'-0" is required. This only occurs in one location for about 77'-0" of one building. The rest of the site and buildings have setbacks shown per Title 19. We are requesting this variance due to the fact that the site is odd shaped and we are trying to keep the buildings on the perimeter and the parking on the internal portion of the site. We do not feel that this variance will have any negative impact on the project or the neighborhood.

Please consider this Variance request as a positive impact on the City of Las Vegas and the surrounding neighborhood.

Respectfully Submitted,

*Kurt Newman for*

Allan Hendrickson  
Field Development

RECEIVED

SDR-12920  
REVISED  
05/25/06 PC

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

05-16-06  
RONALD MONTESANO  
5121 BIG RIVER AVE  
LAS VEGAS, NV. 89130

RECEIVED  
MAY 19 2006

I WISH TO OPPOSE THE FOLLOWING REQUESTS FOR CHANGES TO THE  
CURRENT ZONING.

SDR-12920  
VAR-12921  
ZON-12370  
GPA-12367

THIS IS AN AREA OF RURAL ESTATES AND GATED COMMUNITIES ALONG  
WITH HORSE PROPERTY. THERE IS NO REASON TO CHANGE OUR LIFESTYLE FOR  
A MONEY MAKING DEVELOPMENT. LET THE DEVELOPMENT FOLLOW RANCHO  
ROAD WHERE COMMERCIAL ZONING IS IN PLACE AND KEEP OUR LAND IN 1/3  
AND 1/2 ACRE RURAL HOMES.

THANK YOU

*Ronald Montesano*

ITEM # 11-14  
CASE # \_\_\_\_\_  
PC MEETING 5.25.06 PC

*P*



# Telephone Protest/ Approval Log

Meeting Date: 5/25/06

Case Number: SDR-12920, 1292  
CPA-12367, ZEN-12370, VAR#

Date: 5/19/06  
Name: Mary Greene  
Address: 3938 Leon Ave  
Cas Vegas NV 89130  
Phone: 820-1794  
☒ 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

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ CONSENT ☒ DISCUSSION

**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-12400 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST - Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: R (RURAL DENSITY RESIDENTIAL) TO: L (LOW DENSITY RESIDENTIAL) on a 2.82 portion of a 4.48-acre site at 6250 Rio Vista Street (APN 125-27-502-003), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**ROSS - APPROVED - UNANIMOUS with WOLFSON not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 128 [GPA-12400], Item 129 [ZON-12399] and Item 130 [WVR-12403].

RICHARD GALLEGOS, 3005 West Horizon Ridge Parkway, appeared on behalf of the applicant and agreed to all conditions.

MARGO WHEELER, Director of Planning and Development Department, read additional conditions that COUNCILMAN ROSS requested to be attached to these applications. MR. GALLEGOS agreed to the conditions regarding the site plan and the structures' sizes and heights.

MR. GALLEGOS informed COUNCILMAN ROSS that the applicant would provide two access points for the existing church. MS. WHEELER suggested a condition regarding the dual fire access and DEPUTY CITY ATTORNEY BRYAN SCOTT indicated that the language would be acceptable. MR. GALLEGOS agreed to all additional conditions.

TOM McGOWAN, Las Vegas resident, appeared in support.

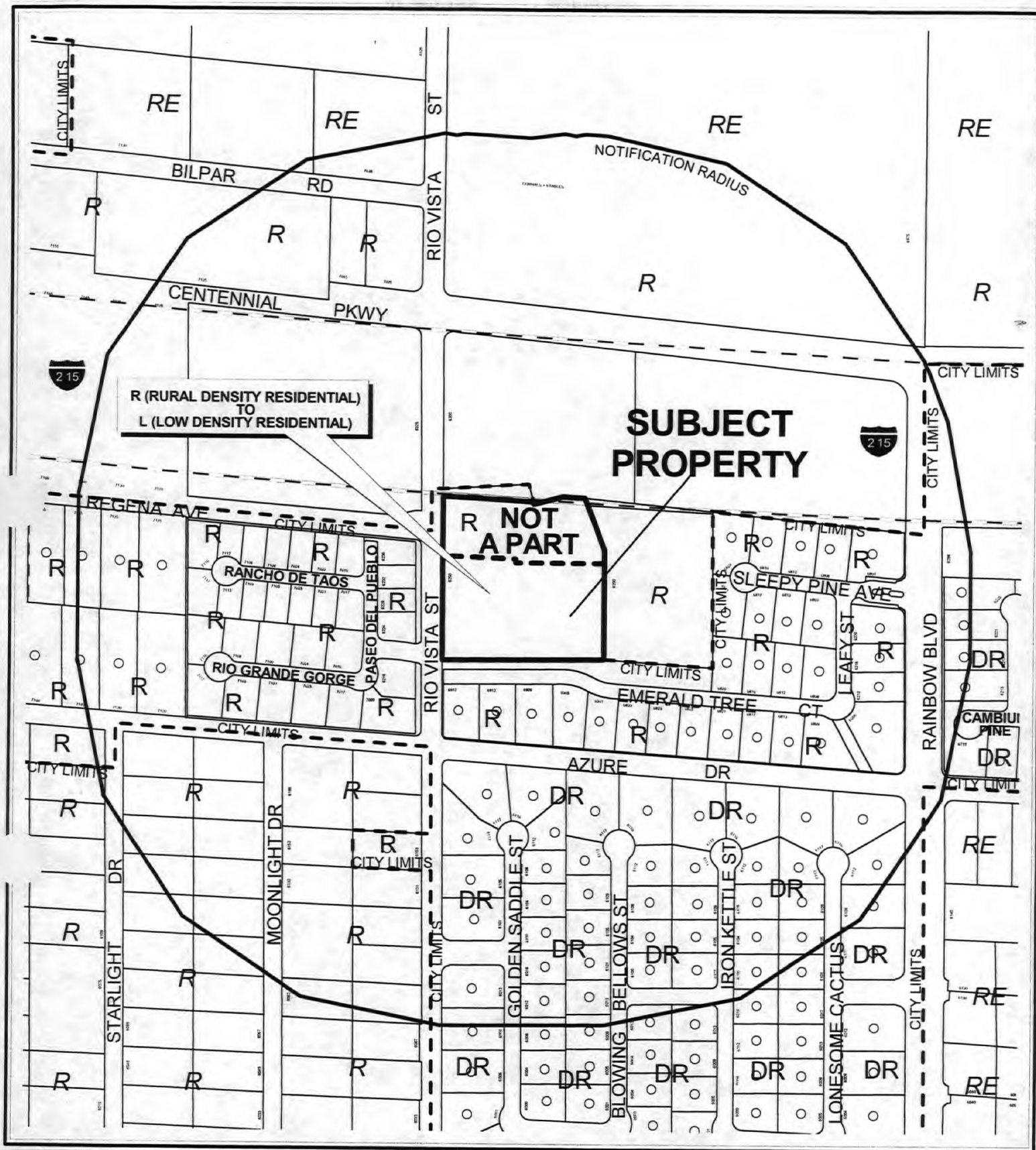
MAYOR GOODMAN declared the Public Hearing closed for Item 128 [GPA-12400], Item 129 [ZON-12399] and Item 130 [WVR-12403].

(2:05 - 2:11)

CITY COUNCIL MEETING OF: JUNE 21, 2006

MINUTES - continued:

3-1264



**CASE: GPA-12400**

**RADIUS: 1000 FT**

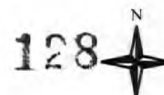
**MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

R (RURAL DENSITY RESIDENTIAL)

**PROPOSED MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

L (LOW DENSITY RESIDENTIAL)

0 400 800 Feet







*City of Las Vegas*

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: JUNE 21, 2006  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: GPA-12400 - APPLICANT: GERALD GARAPICH - OWNER:  
THE HELEN L. THOMAS TRUST

---

**\*\* CONDITIONS \*\***

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

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application seeks to change the General Plan land use designation of the subject property located at 6250 Rio Vista Street from R (Rural Density Residential) to L (Low Density Residential). A related Rezoning (ZON-12399) and Title 18 Waiver (WVR-12403) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The proposed L (Low Density Residential) land use designation is intended for single family detached homes with up to 5.49 units per acre. The 4.48 acre site is currently developed with a restaurant, and the southern 2.82 acres of the parcel is the subject of this amendment request. This amendment will allow for a Rezoning to the R-1 (Single Family Residential) district, which will allow for detached residential units that are similar to those in the surrounding area.

**BACKGROUND DATA:**

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 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.                                                                                                                                                                                                                                                                                                                                                                   |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan. This site is within the Newly Developing Areas 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 R (Rural Density Residential) land uses, with a maximum density of 3.59 dwelling units per acre.                                                                                                                                                                                                                                                                                        |
| 10/05/05 | The City Council approved a Petition of Annexation (ANX-7604) for the subject site. Staff and the Planning Commission recommended approval on 08/11/05.                                                                                                                                                                                                                                                                                                                                                                 |
| 04/27/06 | The Planning Commission voted to abey this and companion requests to its 05/25/06 meeting, in order to allow the applicant to meet with area property owners, residents and tenants, and to consider possible design changes to the project. Prior to the abeyance motion, the applicant presented a revised site plan to the Commission containing 13 lots in lieu of the 14 lots on the earlier plan submitted 03/30/06. This allowed the applicant to withdraw without prejudice related Variance request VAR-12402. |



- 05/25/06 The Planning Commission recommended approval of companion items Rezoning (ZON-12399) and WVR-12403 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #24/fs).

### **DETAILS OF APPLICATION REQUEST**

Gross Acres: 4.48 Acres  
Site Area: 2.82 Acres

#### **EXISTING LAND USE**

##### ***B) Existing Land Use***

Subject Property: Restaurant  
North: Beltway 215  
South: Single Family Residential  
East: Church  
West: Single Family Residential

##### ***C) Planned Land Use***

Subject Property: R (Rural Density Residential)  
North: Beltway 215  
South: R (Rural Density Residential)  
East: R (Rural Density Residential)  
West: R (Rural Density Residential)

##### ***D) Existing Zoning***

Subject Property: R-E (Residence Estates)  
North: Beltway 215  
South: R-PD2 (Residential Planned Development – 2 Units Per Acre)  
East: R-E (Rural Estates – Clark County)  
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>  | <b>YES</b> | <b>NO</b> |
|----------------------------------------|------------|-----------|
| SPECIAL PLAN AREA                      |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD        |            | X         |
| RURAL PRESERVATION NEIGHBORHOOD BUFFER | X          |           |
| PROJECT OF REGIONAL SIGNIFICANCE       |            | X         |



**Rural Preservation Overlay District** – The southern 50 feet of the subject site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density should not be increased over two-units per acre unless good cause is shown.

| <i>EXISTING<br/>GENERAL PLAN<br/>DESIGNATION</i> | <i>PERMITTED<br/>DENSITY</i> | <i>PROPOSED<br/>GENERAL PLAN<br/>DESIGNATION</i> | <i>PERMITTED<br/>DENSITY</i> |
|--------------------------------------------------|------------------------------|--------------------------------------------------|------------------------------|
| R                                                | 3.59 du/ac                   | L                                                | 5.49 du/ac                   |

The proposed General Plan Amendment from R (Rural Density Residential) to L (Low Density Residential) will increase the allowable density from 3.59 to 5.49 units per acre.

### **DEFINITIONS**

***R (Rural Density Residential)*** (Up to 3.59 dwelling units/gross acre.) The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a life-style much like that of the Desert Rural, but with a smaller allowable lot size.

***L (Low Density Residential)*** (Up to 5.49 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

### **INTERAGENCY ISSUES**

#### ***RURAL PRESERVATION OVERLAY DISTRICT***

**Rural Preservation Overlay District** – The southern 50 feet of the subject site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential development density should not be increased over two-units per acre unless good cause is shown.

### **ANALYSIS**

The request is for a General Plan Amendment from R (Rural Density Residential) to L (Low Density Residential). The proposed L (Low Density Residential) land use designation is intended for single family detached homes with up to 5.49 units per acre. The 4.48 acre site is currently developed with a restaurant, and the southern 2.82 acres of the parcel is the subject of this amendment request. The L (Low Density Residential) designation will allow for the proposed Rezoning (ZON-12399) to the R-1 (Single Family Residential) district. The existing single-family development in the area is similar in size and density with the proposal, and therefore this application is recommended.

## **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 surrounding area is predominantly designated as R (Rural Density Residential), which allows residential densities of up to 3.59 units per acre. The proposed L (Low Density Residential) allows a maximum density of 5.49, which is generally compatible with the existing land use designations in the area.

In regard to "2":

The proposed density (4.96 units per acre) of the subject site is similar to that of the surrounding development. The zoning districts allowed by the proposed L (Low Density Residential) General Plan designation will be compatible with the existing R-PD2 (Residential Planned Development – 2 Units Per Acre) and R-PD3 (Residential Planned Development – 3 Units Per Acre) districts in the area.

In regard to "3":

There are adequate transportation, recreation, utility, and other facilities to accommodate the proposed residential development. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne Avenue. Fire Station Number 41 located at 7331 North Buffalo Drive is the closest city facility to the site.

In regard to "4":

This proposal is located within the "Newly Developing" Strategy Area of the Las Vegas 2020 Master Plan, and is consistent with applicable goals, policies, and objectives. There are no other adopted master or neighborhood plans 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 03/27/06 a neighborhood meeting sponsored by the applicant was held at the Cimarron Rose Community Center. The applicant explained they would like to build 14 units. They will keep the Ranch House Restaurant, and will not have any other commercial on the site. Price range will be similar to those in the area, and homes will be around 4,000 square feet. Four lots will be substandard, and the street offset will be 125 feet where 220 feet is required. One person from the public attended and had the following comments:

- Lot sizes? Similar to units to the east.
- Acquiring church land? No.
- What do you need for restaurant? Advised over 1 acre.

On 05/16/06, a letter dated 05/08/06 from Roger Gorham, Pastor, Country Western Church (CWC), was received by the Planning and Development Department. This letter followed a meeting between church representatives and Jeff Special, owner of Bob Taylor's Ranch House, on 05/03/06. The CWC was invited to submit a written proposal to address their concerns, which centered on historical access to the CWC property and protection of land value. This proposal was attached to the above-noted letter and covered the following points, quoted verbatim:

- CWC proposes to make available to Developers [the applicant] a strip of CWC property up to fifteen feet (15') wide along the eastern side of the 2.82-acre portion of the 4.48-acre tract. This strip of land would allow Developers enough area to have fourteen (14) R-1 lots, in lieu of the proposed thirteen (13) without a width variance;
- CWC will also make available to Developers an area on CWC property that would meet the City Planning requirements for a "turn around" at a public street terminus, at no cost to CWC;
- CWC agrees that any future development of CWC property, other than for church use, would be of R-1 density or less, thus preserving the value of Developer's property.

As of the date of this report, the position of the applicant with respect to this proposal is unknown to the City.

**PLANNING COMMISSION ACTION**

There was one speaker in opposition at the Planning Commission meeting.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 113 by Planning Department

**APPROVALS** 0

**PROTESTS** 0





# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number **GPA-12400** APN: **125-27-502-003**

Name of Property Owner: **Helen Thomas**

Name of Applicant: \_\_\_\_\_

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

\_\_\_\_\_ Yes

X No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

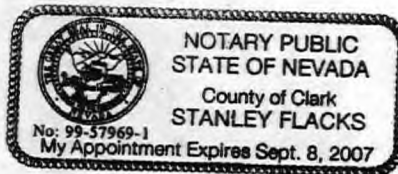
Signature of Property Owner/Authorized Agent: Helen L. Thomas

Print Name: Helen L. THOMAS

Subscribed and sworn before me

This 14 day of MARCH, 2006

Stanley Flacks  
Notary Public in and for said County and State



# City of Las Vegas

## CENTENNIAL HILLS Interlocal Land Use Plan

### City Land Use Categories

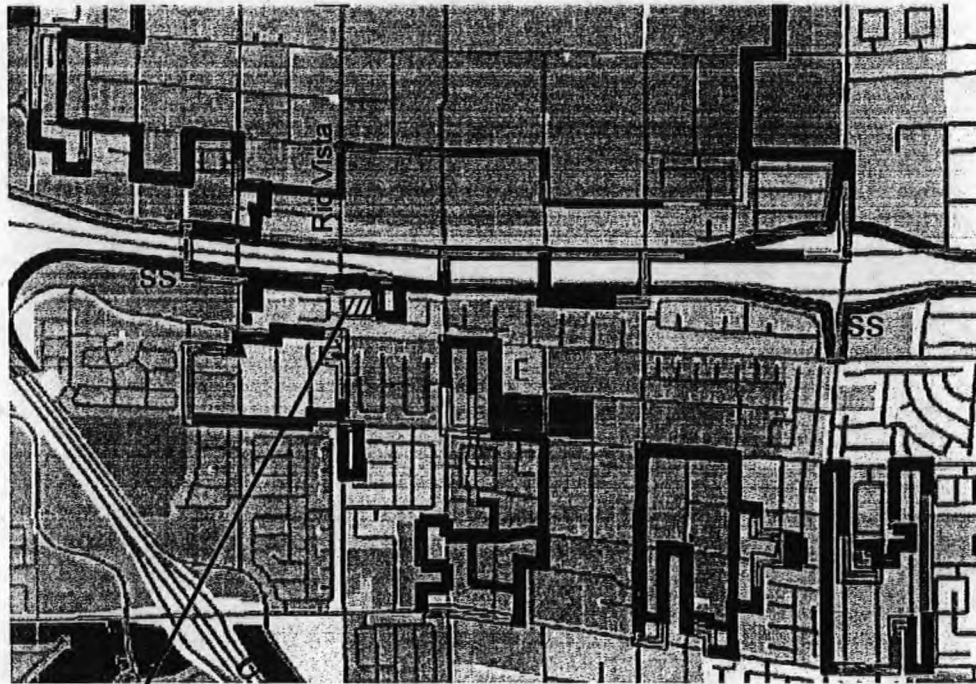
- ☐ Rural Neighborhood (residential) - up to 2 d.u.s.
- ☐ Dense Rural - up to 249 d.u.s.
- ☐ Rural - up to 150 d.u.s.
- ☐ Low - up to 549 d.u.s.
- ☐ Medium-Low - up to 849 d.u.s.
- ☐ Medium-Low Attached - up to 1249 d.u.s.
- ☐ Medium - up to 2549 d.u.s.
- ☐ High - 2549 d.u.s.
- ☐ Office
- ☐ Service Commercial
- ☐ General Commercial
- ☐ Park/Recreation/Open Space
- ☐ Public Facility
- ☐ Resource Conservation
- ☐ Riparianity
- ☐ Light Industrial/Research
- ☐ Planned Community Development
- ☐ Town Center

- ☐ Corporate Center
- ☐ Retail Office/Business
- ☐ Red Rock Canyon National Conservation Area

### County Land Use Categories

- ☐ Rural Neighborhood (residential) - up to 2 d.u.s.
- ☐ Rural - up to 25 d.u.s.
- ☐ Rural Density Residential - up to 15 d.u.s.
- ☐ Public Facilities
- ☐ Public Lands Management Area
- ☐ Planned Community Development

- ☐ Elementary School
- ☐ Middle School
- ☐ High School
- ☐ Park
- ☐ Light Station
- ☐ Transit/Bus Rapid Station



Project Location  
Proposed General  
Plan Designation - L

### The Ranch House

Architect Gerald Garapich AIA, LLC

10 Commerce Center Drive Henderson, Nevada 89014 ph. 454-5842

GPA-12400  
04/27/06 PC

RECEIVED  
MAR 15 2006

**ARCHITECT**

**GERALD GARAPICH, AIA, LLC.**

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

---

March 14, 2006

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

Attn: Doug Rankin

**RE: RANCH HOUSE ESTATES  
APN: 125-27-502-023  
COMPELLING JUSTIFICATION LETTER**

**PROJECT NO: 05-912**

Dear Doug:

We respectfully request favorable consideration of our proposed zone change and General Plan Amendment based on the following;

1. Existing land use is R-E with a legal non-conforming commercial use. This proposal will provide a residential buffer to our neighbor to the south.
2. The proposed density is 5 units per acre and 3 units per acre when the entire site is considered.
3. There will be no adverse effect on the public facilities & serviced for 14 homes in this area with respect to schools, parks, fire and police facilities, roads, access, storm water and drainage facilities as a result of our proposed development.
4. The proposed zone change will meet adapted goals and policies by providing an appropriate transition land, use from the development to the south to the freeway on the north.
5. The proposed zone change will not establish an undesirable precedent. We believe are density is compatible to the surrounding area.
6. The waiver of street intersection is appropriate due to limited turning movements and a 125 foot separation has been provided.
7. The variance is to reduce the required lot width for lots 7 & 8. The lot area has been met. The second variance is to reduce the lot size for lots 6 & 9. The lot width has been met. This is due to the cul-de-sac condition.

Should you have any questions or require additional information please contact our office.

Sincerely,

*Richard Gallegos*  
Richard C. Gallegos  
Project Director

**GPA-12400  
04/27/06 PC**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

REZONING RELATED TO GPA-12400

ZON-12399 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: R-1 (SINGLE FAMILY RESIDENTIAL) on a 2.82 portion of a 4.48 acre site at 6250 Rio Vista Street (APN 125-27-502-003), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**ROSS - APPROVED** subject to conditions and adding the following conditions as read for the record as follows:

- The development shall be in substantial conformance with the site plan date-stamped 4/27/2006 for a maximum of 13 lots.
- The minimum structure size shall be 2800 square feet.
- No three-stories.
- The layout of the site being revised to show the appropriate access acceptable to the Fire Department to the existing parcel to the east of this site or to provide proof that an alternative access plan granting perpetually irrevocable access rights to this parcel has been approved and recorded prior to the submittal of construction drawings or the issuance of a building permit, whichever comes first.
- UNANIMOUS

**MINUTES:**

NOTE: See Item 128 [GPA-12400] for all related discussion.

(2:05 - 2:11)

3-1264

**CONDITIONS:**

Planning and Development

1. A General Plan Amendment (GPA-12400) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.

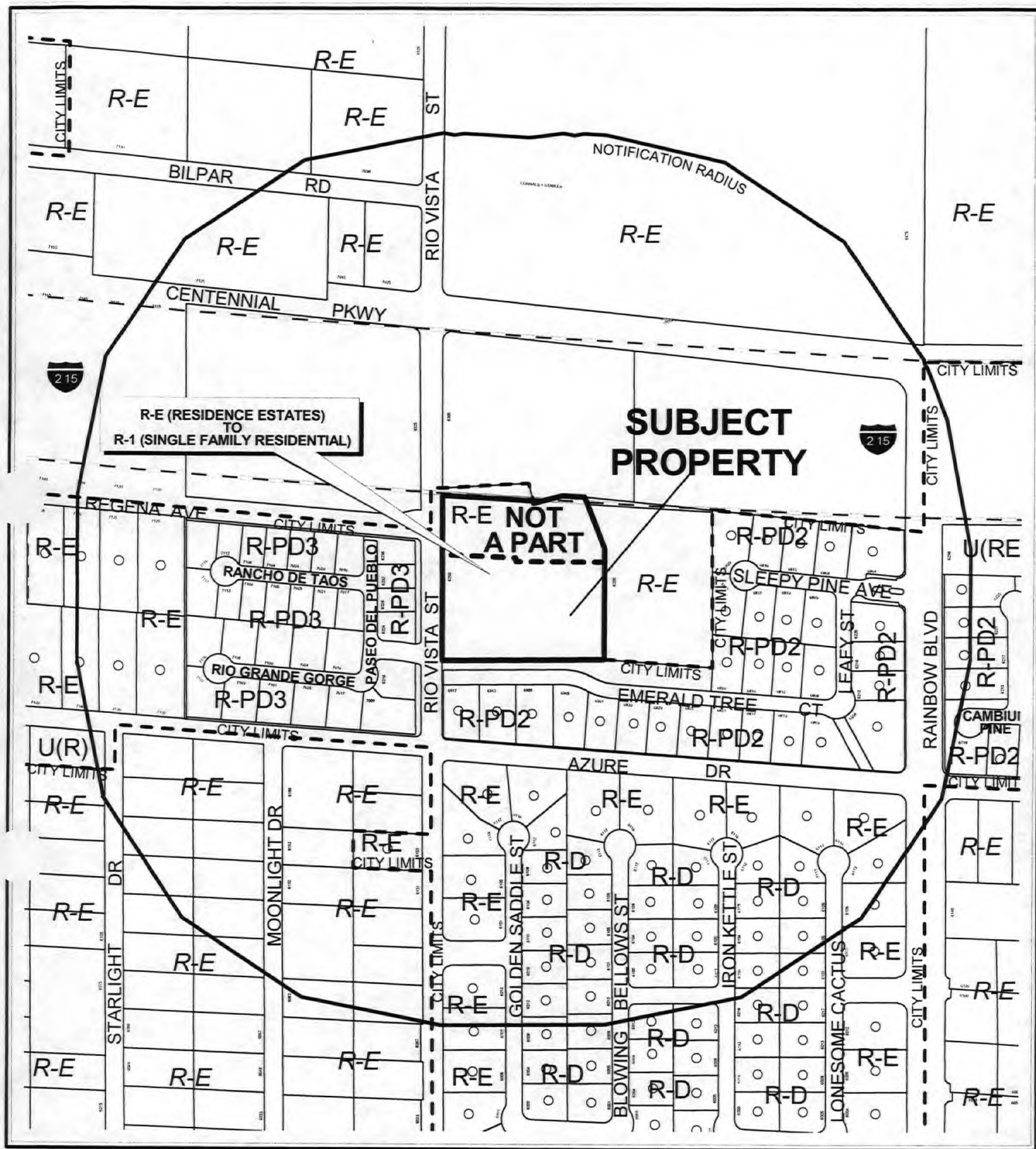


**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**CONDITIONS - continued:**

Public Works

3. Coordinate with the City Surveyor to determine the appropriate mapping required to establish property boundaries as proposed for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
4. Construct all incomplete half street improvements on Rio Vista Street 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. 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.
6. Site Visibility Restriction Zones are required to be shown adjacent to public streets.
7. The applicant shall enter into a written agreement with the adjacent property owners to ensure fire access to the Clark County parcel to the east, to the satisfaction of the Fire Departments of both the City and Clark County.



**CASE: ZON-12399**

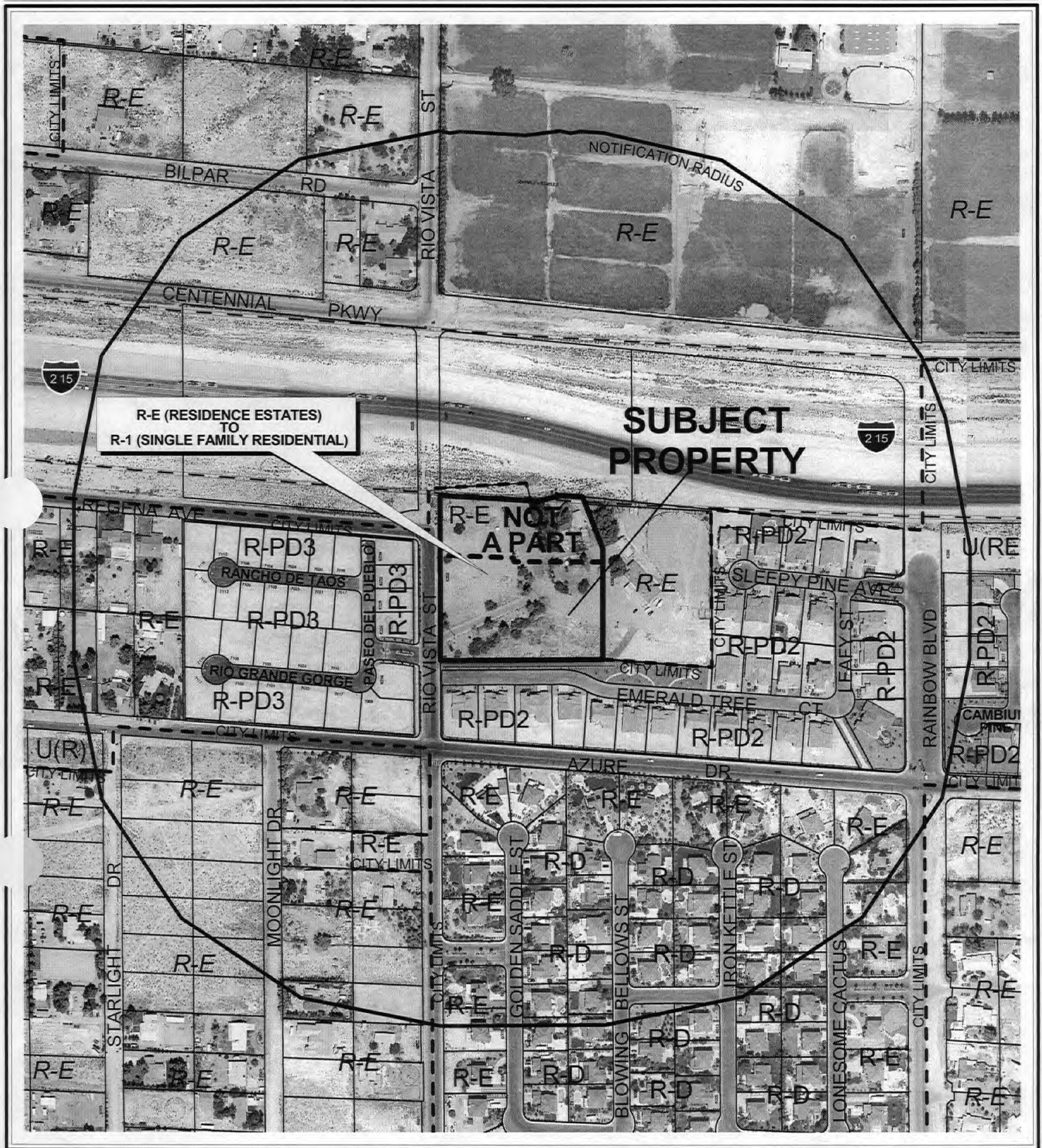
**RADIUS: 1000 FT**

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

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

0 400 800 Feet





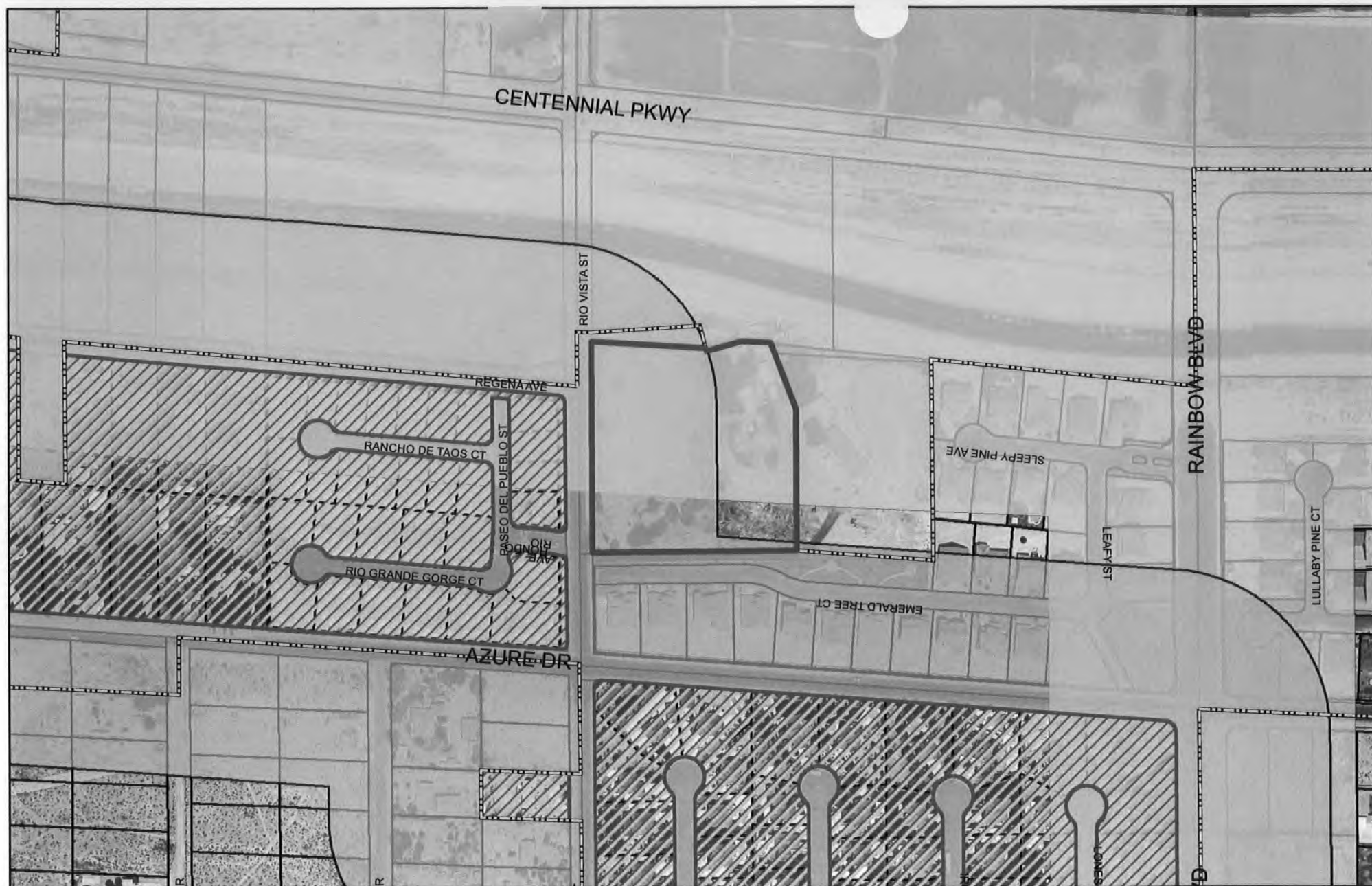
**CASE: ZON-12399**

**RADIUS: 1000 FT**

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

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





**ZON-12399**



Subject Property



RPN Parcels



RPN Buffer



330 ft Street Buffer

0 165 330 660 Feet





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: ZON-12399 - APPLICANT: GERALD GARAPICH - OWNER:**  
**THE HELEN L. THOMAS TRUST**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. A General Plan Amendment (GPA-12400) to an L (Low Density Residential) land use designation approved by the City Council.
2. A Resolution of Intent with a two-year time limit is hereby granted.

**Public Works**

3. Coordinate with the City Surveyor to determine the appropriate mapping required to establish property boundaries as proposed for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
4. Construct all incomplete half street improvements on Rio Vista Street 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. 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.

6. Site Visibility Restriction Zones are required to be shown adjacent to public streets.
7. The applicant shall enter into a written agreement with the adjacent property owners to ensure fire access to the Clark County parcel to the east, to the satisfaction of the Fire Departments of both the City and Clark County.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The request is for a Rezoning from R-E (Residence Estates) to R-1 (Single Family Residential) on a 2.82 portion of a 4.48 acre site at 6250 Rio Vista Street. A related General Plan Amendment (GPA-12400) and Title 18 Waiver (WVR-12403) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The applicant is seeking a rezoning to the R-1 (Single-Family Residential) zone, which is intended for development of detached single-family residences in a suburban setting. The proposed 13-lot subdivision depicts a minimum lot size of 7,300 square feet with an overall density of 4.61 units per acre.

The proposed rezoning is recommended as the lots sizes and density allowed by the R-1 (Single Family Residential) zoning are similar to existing residential developments in the surrounding area.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/05/05 | The City Council approved a Petition of Annexation (ANX-7604) for the subject site. Staff and the Planning Commission recommended approval on 08/11/05.                                                                                                                                                                                                                                                                                                                                                                 |
| 04/27/06 | The Planning Commission voted to abey this and companion requests to its 05/25/06 meeting, in order to allow the applicant to meet with area property owners, residents and tenants, and to consider possible design changes to the project. Prior to the abeyance motion, the applicant presented a revised site plan to the Commission containing 13 lots in lieu of the 14 lots on the earlier plan submitted 03/30/06. This allowed the applicant to withdraw without prejudice related Variance request VAR-12402. |
| 05/25/06 | The Planning Commission recommended approval of companion items GPA-12400 and WVR-12403 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                             |



05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #25/fs).

***B) Pre-Application Meeting***

02/06/06 Issues discussed included the depicted lot sizes not meeting minimum standards, and the need for an intersection offset waiver. Other general application requirements were also discussed.

***C) Neighborhood Meetings***

03/27/06 A neighborhood meeting was held for the related General Plan Amendment (GPA-12400).

05/16/06 A letter dated 05/08/06 from Roger Gorham, Pastor, Country Western Church (CWC), was received by the Planning and Development Department. This letter followed a meeting between church representatives and Jeff Special, owner of Bob Taylor's Ranch House, on 05/03/06. The CWC was invited to submit a written proposal to address their concerns, which centered on historical access to the CWC property and protection of land value. This proposal was attached to the above-noted letter and covered the following points, quoted verbatim:

- CWC proposes to make available to Developers [the applicant] a strip of CWC property up to fifteen feet (15') wide along the eastern side of the 2.82-acre portion of the 4.48-acre tract. This strip of land would allow Developers enough area to have fourteen (14) R-1 lots, in lieu of the proposed thirteen (13) without a width variance;
- CWC will also make available to Developers an area on CWC property that would meet the City Planning requirements for a "turn around" at a public street terminus, at no cost to CWC;
- CWC agrees that any future development of CWC property, other than for church use, would be of R-1 density or less, thus preserving the value of Developer's property.

As of the date of this report, the position of the applicant with respect to this proposal is unknown to the City.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 4.48  
Subject Site Acreage: 2.82

**B) Existing Land Use**

Subject Property: Restaurant  
North: Beltway 215  
South: Single Family Residential  
East: Church  
West: Single Family Residential

**C) Planned Land Use**

Subject Property: R (Rural Density Residential)  
North: Beltway 215  
South: R (Rural Density Residential)  
East: R (Rural Density Residential)  
West: R (Rural Density Residential)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
North: Beltway 215  
South: R-PD2 (Residential Planned Development - 2 Units per Acre)  
East: R-E (Rural Estates - Clark County)  
West: R-PD3 (Residential Planned Development - 3 Units per Acre)

**E) General Plan Compliance**

The subject site is located within the Centennial Hills Sector of the Master Plan with an R (Rural Density Residential) land use designation, which allows for residential development with up to 3.59 units per acre. A related General Plan Amendment (GPA-12400) proposes to amend the Master Plan designation to L (Low Density Residential), which allows residential development with up to 5.49 units per acre. The proposed rezoning to the R-1 (Single Family Residential) district will be in compliance with the Master Plan with the approval of GPA-12400.

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

**Rural Preservation Overlay District** – The southern 50 feet of the subject site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential density should not be increased over two-units per acre unless good cause is shown.

**F) Density**

| <b>EXISTING ZONING</b> | <b>PERMITTED DENSITY</b> | <b>PROPOSED ZONING</b> | <b>PERMITTED DENSITY</b> | <b>GENERAL PLAN</b> | <b>PERMITTED DENSITY</b> |
|------------------------|--------------------------|------------------------|--------------------------|---------------------|--------------------------|
| R-E                    | 2.18 du/ac               | R-1                    | 6.70 du/ac               | L (proposed)        | 5.49 du/ac               |

The R-E (Residence Estates) zoning district permits a maximum density of 2.18 units per acre. While the proposed R-1 (Single Family Residential) zone allows up to 6.70 units per acre, the related General Plan Amendment (GPA-12400) to the L (Low Density Residential) land use designation will limit density to 5.49 units per acre for the subject site. The original site plan depicted a proposed density of 4.96 units per acre; the revised site plan has a density of 4.61 units per acre.

**A) Zoning Code Compliance**

**A1) Development Standards**

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

| <b>Standards</b>     | <b>Required</b>     | <b>Requested</b>  | <b>Compliance</b> |
|----------------------|---------------------|-------------------|-------------------|
| Min. Lot Size        | 6,500 SF            | 7,300 SF (approx) | Y                 |
| Min. Lot Width       | 65 Feet             | 65 Feet           | Y*                |
| Min. Setbacks        |                     |                   |                   |
| • Front              | 20 Feet             | 20 Feet           | Y                 |
| • Side               | 5 Feet              | 5 Feet            | Y                 |
| • Corner             | 15 Feet             | 15 Feet           | Y                 |
| • Rear               | 15 Feet             | 15 Feet           | Y                 |
| Max. Building Height | 2 Stories / 35 Feet | Not Depicted      | Y                 |

Note: Lots 6, 7 and 8 on the revised site plan date stamped 04/27/06 meet Code requirements for lots on a cul-de-sac bulb.

The proposal as revised with the 13-lot site plan now meets minimum lot width requirements; as a result, the applicant withdrew related Variance (VAR-12402) on 04/27/06. Building elevations were not provided; however, all habitable structures will be required to comply with Title 19 height requirements.

**B) General Analysis and Discussion**

The applicant is seeking a rezoning from R-E (Residence Estates) to the R-1 (Single-Family Residential) zone, which is intended for development of detached single-family residences in a suburban setting. The 4.48 acre site is currently developed with a restaurant, and the southern 2.82 acres of the parcel is the subject of this rezoning request. The revised site plan depicts a 13-lot subdivision with a minimum lot size of 7,300 square feet, and an overall density of 4.61 units per acre. The restaurant will remain as it currently exists on the northern portion of the site.



The provided site plan now depicts lot widths that meet minimum requirements, and a related Variance (VAR-12402) has been withdrawn without prejudice. The application now appears to conform to Title 19 standards.

A development with lots meeting minimum R-1 (Single Family Residential) standards would be consistent and compatible with the established development pattern in the area. Therefore, the proposed Rezoning is recommended as the lots sizes and density allowed by the R-1 (Single Family Residential) zoning are similar to existing residential developments in the surrounding 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 the related General Plan Amendment (GPA-12400) to the L (Low Density Residential), the proposed rezoning to the R-1 (Single Family Residential) zoning district will be consistent with the Master Plan.

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

The residential uses allowed by the proposed R-1 (Single Family Residential) zoning district will consist of densities and lot sizes that are consistent and compatible with surrounding land uses and zoning districts.

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

The R-1 (Single Family Residential) zoning district is intended for the development of single-family detached dwellings in a suburban setting. Given the residential development pattern in the area, the proposed rezoning will allow for units and lot sizes that are consistent with the existing single-family residential in the surrounding area.

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

The site will receive access from Rio Vista Street, a 60-foot local street, which is adequate in size to meet the requirements of the R-1 (Single Family Residential) zoning district.

**PLANNING COMMISSION ACTION**

Condition #7 was added by the Planning Commission. Compliance to be had with plans date stamped 04/27/06.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 113 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-12399** APN: 125-27-502-003  
 Name of Property Owner: Helen Thomas  
 Name of Applicant: \_\_\_\_\_

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

\_\_\_\_\_ Yes

X No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

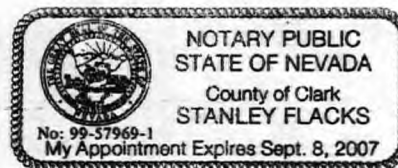
Signature of Property Owner/Authorized Agent: Helen L. Thomas

Print Name: Helen L. THOMAS

Subscribed and sworn before me

This 14 day of MARCH, 2006

Stanley Flacks  
 Notary Public in and for said County and State





285 3847  
34770



|                           |                           |
|---------------------------|---------------------------|
| PROJECT LOCATION :        | 6786                      |
| ASSESSOR'S PARCEL NUMBER: | 175 - ANX.                |
| EXISTING LAND USE :       | R-E                       |
| PROPOSED LAND USE :       | RI (E                     |
| (PARTIAL)                 | GPA<br>ZON-<br>VAR<br>WVR |
| <u>SITE DATA</u>          |                           |
| EXISTING RESTAURANT       | 72.93                     |
| PROPOSED R-1              | 172.81                    |
| <hr/>                     |                           |
| TOTAL SITE AREA:          | 195.71                    |
| <u>DENSITY</u>            |                           |
| PROPOSED R-1              | 131.48                    |
| ALLOWABLE DENSITY:        | 3.07                      |
| PROPOSED DENSITY:         | 14 UN                     |
| <u>PARKING ANALYSIS</u>   |                           |
| PARKING REQUIRED :        | 2 SP,                     |
| PARKING PROVIDED :        | 2 SP                      |



Diagram illustrating the corner view of a structure. The corner is defined by a vertical line labeled "SIDE" and a horizontal line labeled "REAR". The distance from the corner to the "SIDE" wall is 5'-0". The distance from the corner to the "REAR" wall is 15'-0".



**ARCHITECT**

**GERALD GARAPICH, AIA, LLC.**

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

---

March 14, 2006

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

Attn: Doug Rankin

**RE: RANCH HOUSE ESTATES  
APN: 125-27-502-023  
COMPELLING JUSTIFICATION LETTER**

**PROJECT NO: 05-912**

Dear Doug:

We respectfully request favorable consideration of our proposed zone change and General Plan Amendment based on the following;

1. Existing land use is R-E with a legal non-conforming commercial use. This proposal will provide a residential buffer to our neighbor to the south.
2. The proposed density is 5 units per acre and 3 units per acre when the entire site is considered.
3. There will be no adverse effect on the public facilities & serviced for 14 homes in this area with respect to schools, parks, fire and police facilities, roads, access, storm water and drainage facilities as a result of our proposed development.
4. The proposed zone change will meet adapted goals and policies by providing an appropriate transition land, use from the development to the south to the freeway on the north.
5. The proposed zone change will not establish an undesirable precedent. We believe are density is compatible to the surrounding area.
6. The waiver of street intersection is appropriate due to limited turning movements and a 125 foot separation has been provided.
7. The variance is to reduce the required lot width for lots 7 & 8. The lot area has been met. The second variance is to reduce the lot size for lots 6 & 9. The lot width has been met. This is due to the cul-de-sac condition.

Should you have any questions or require additional information please contact our office.

Sincerely,

*Richard Gallegos*  
Richard C. Gallegos  
Project Director

**ZON-12399  
04/27/06 PC**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

WAIVER RELATED TO GPA-12400 AND ZON-12399

WVR-12403 - PUBLIC HEARING - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST - Request for a Waiver of Title 18.12.160 TO ALLOW APPROXIMATELY 125 FEET BETWEEN STREET INTERSECTIONS WHERE 220 FEET IS THE MINIMUM DISTANCE SEPARATION REQUIRED on 4.48 acres at 6250 Rio Vista Street (APN 125-27-502-003), R-E (Residence Estates) Zone [PROPOSED: R-1 (Single Family Residential) Zone], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**ROSS - APPROVED subject to conditions - UNANIMOUS**

**MINUTES:**

NOTE: See Item 128 [GPA-12400] for all related discussion.

(2:05 - 2:11)

3-1264

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12399) is required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.







**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER:  
THE HELEN L. THOMAS TRUST**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12399) is required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

Request for a Waiver of Title 18.12.160 to allow approximately 125 feet between street intersections where 220 feet is the minimum distance separation required at 6250 Rio Vista Street. A related General Plan Amendment (GPA-12400) and a Rezoning (ZON-12399) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The proposed public street that will provide access to the subdivision will be 125 feet south of Regena Avenue and does not appear to negatively affect adjacent roadways. The Department of Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow approximately 125 feet between street intersections where 220 feet is the minimum distance separation required for this site.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         |
|----------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 10/05/05 | The City Council approved and Petition of Annexation (ANX-7604) for the subject site. Staff and the Planning Commission recommended approval on 08/11/05.                                                                                                                                                                                                                                                                                                                                                               |
| 04/27/06 | The Planning Commission voted to abey this and companion requests to its 05/25/06 meeting, in order to allow the applicant to meet with area property owners, residents and tenants, and to consider possible design changes to the project. Prior to the abeyance motion, the applicant presented a revised site plan to the Commission containing 13 lots in lieu of the 14 lots on the earlier plan submitted 03/30/06. This allowed the applicant to withdraw without prejudice related Variance request VAR-12402. |
| 05/25/06 | The Planning Commission recommended approval of companion items GPA-12400 and ZON-12399 concurrently with this application.                                                                                                                                                                                                                                                                                                                                                                                             |
| 05/25/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #26/fs).                                                                                                                                                                                                                                                                                                                                                                                                                                        |

**B) Pre-Application Meeting**

02/06/06 Issues discussed included the depicted lot sizes not meeting minimum standards, and the need for an intersection offset waiver. Other general application requirements were also discussed.

**C) Neighborhood Meetings**

03/27/06 A neighborhood meeting was held for the related General Plan Amendment (GPA-12400).

05/16/06 A letter dated 05/08/06 from Roger Gorham, Pastor, Country Western Church (CWC), was received by the Planning and Development Department. This letter followed a meeting between church representatives and Jeff Special, owner of Bob Taylor's Ranch House, on 05/03/06. The CWC was invited to submit a written proposal to address their concerns, which centered on historical access to the CWC property and protection of land value. This proposal was attached to the above-noted letter and covered the following points, quoted verbatim:

- CWC proposes to make available to Developers [the applicant] a strip of CWC property up to fifteen feet (15') wide along the eastern side of the 2.82-acre portion of the 4.48-acre tract. This strip of land would allow Developers enough area to have fourteen (14) R-1 lots, in lieu of the proposed thirteen (13) without a width variance;
- CWC will also make available to Developers an area on CWC property that would meet the City Planning requirements for a "turn around" at a public street terminus, at no cost to CWC;
- CWC agrees that any future development of CWC property, other than for church use, would be of R-1 density or less, thus preserving the value of Developer's property.

As of the date of this report, the position of the applicant with respect to this proposal is unknown to the City.

**DETAILS OF APPLICATION REQUEST**

**A) Site Area**

Gross Acres: 4.48  
Subject Site Acreage: 2.48

**B) Existing Land Use**

Subject Property: Restaurant  
North: Beltway 215  
South: Single Family Residential  
East: Church  
West: Single Family Residential



**C) Planned Land Use**

Subject Property: R (Rural Density Residential)  
North: Beltway 215  
South: R (Rural Density Residential)  
East: R (Rural Density Residential)  
West: R (Rural Density Residential)

**D) Existing Zoning**

Subject Property: R-E (Residence Estates)  
North: Beltway 215  
South: R-PD2 (Residential Planned Development – 2 Units Per Acre)  
East: R-E (Rural Estates – Clark County)  
West: R-PD3 (Residential Planned Development – 3 Units Per Acre)

**E) General Plan Compliance**

The subject site is located within the Centennial Hills Sector of the Master Plan with a R (Rural Density Residential) land use designation, which allows for residential development with up to 3.59 units per acre. A related General Plan Amendment (GPA-12400) proposes to amend the Master Plan designation to L (Low Density Residential), which allows residential development with up to 5.49 units per acre. The related Rezoning (ZON-12399) to the R-1 (Single Family Residential) district will be in compliance with the Master Plan with the approval of the related General Plan Amendment (GPA-12400).

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

**Rural Preservation Overlay District** – The southern 50 feet of the subject site is within the 330-foot buffer area of the Rural Preservation Overlay District. Within these buffer areas, residential density should not be increased over two-units per acre unless good cause is shown.

**A) Zoning Code Compliance**

**A1) Development Standards**

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

| <b>Standards</b>     | <b>Required</b>     | <b>Requested</b>     | <b>Compliance</b> |
|----------------------|---------------------|----------------------|-------------------|
| Min. Lot Size        | 6,500 SF            | 7,300 SF<br>(approx) | Y                 |
| Min. Lot Width       | 65 Feet             | 65 Feet              | Y*                |
| Min. Setbacks        |                     |                      |                   |
| • Front              | 20 Feet             | 20 Feet              | Y                 |
| • Side               | 5 Feet              | 5 Feet               | Y                 |
| • Corner             | 15 Feet             | 15 Feet              | Y                 |
| • Rear               | 15 Feet             | 15 Feet              | Y                 |
| Max. Building Height | 2 Stories / 35 Feet | Not Depicted         | Y                 |

Note: Lots 6, 7 and 8 on the revised site plan date stamped 04/27/06 meet Code requirements for lots on a cul-de-sac bulb.

The proposal as revised with the 13-lot site plan now meets minimum lot width requirements; as a result, the applicant withdrew related Variance (VAR-12402) on 04/27/06. Building elevations were not provided; however, all habitable structures will be required to comply with Title 19 height requirements.

**ANALYSIS**

This is a request for a Waiver of Title 18.12.100 to allow 125-foot intersection offset where 220 feet is the minimum offset allowed. 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 twenty feet, measured from centerline to centerline. Intersections of streets providing service internally within a subdivision, where they do not intersect arterial or major streets, shall be offset a minimum of one hundred twenty-five feet.”

The proposed public street that will provide access to the subdivision will be 125 feet south of Regena Avenue and does not appear to negatively affect adjacent roadways.

## **FINDINGS**

The Department of Public Works has no objection to the request for a Waiver of Title 18.12.160 to allow approximately 125 feet between street intersections where 220 feet is the minimum distance separation required for property located at 6250 Rio Vista Street. The Planning and Development Department concurs with this assessment.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 10

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 113 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-12403** APN: 125-27-502-003

Name of Property Owner: Helen Thomas

Name of Applicant: \_\_\_\_\_

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

\_\_\_\_\_ Yes

X No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

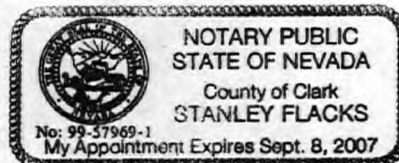
Signature of Property Owner/Authorized Agent: Helen L. Thomas

Print Name: Helen L. Thomas

Subscribed and sworn before me

This 14 day of MARCH, 2006

Stanley Flacks  
Notary Public in and for said County and State



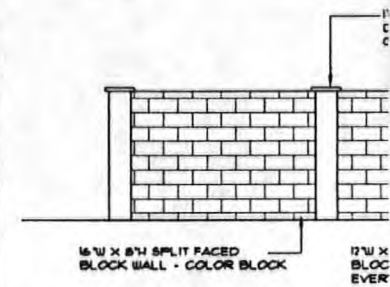


RECEIVED  
APR 27 2006



#### PROJECT DATA:

|                           |                 |
|---------------------------|-----------------|
| PROJECT LOCATION:         | 6754            |
| ASSESSOR'S PARCEL NUMBER: | 05 - ANX        |
| EXISTING LAND USE:        | R-E             |
| PROPOSED LAND USE:        | R-1             |
| (PARTIAL)                 | GPA ZON VAR UVR |
| SITE DATA:                |                 |
| EXISTING RESTAURANT       | 17.93           |
| PROPOSED R-1              | 17.81           |
| TOTAL SITE AREA:          | 195.7           |
| DENSITY                   |                 |
| PROPOSED R-1              | 13.14           |
| ALLOWABLE DENSITY:        | 3.02            |
| PROPOSED DENSITY:         | 14.18           |
| PARKING ANALYSIS          |                 |
| PARKING REQUIRED:         | 2 SP            |
| PARKING PROVIDED:         | 2 SP            |



PERIMETER WALL E  
1/4" = 1'-0"

WVR-12403  
REVISED  
05/25/06 PC





GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06





GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06



GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06





GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06



GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06





GPA-12400, ZON-12399 & WVR-12403 - APPLICANT: GERALD GARAPICH - OWNER: THE HELEN L. THOMAS TRUST  
6250 RIO VISTA STREET  
MAY 25, 2006 PLANNING COMMISSION

04/17/06



# ARCHITECT

**GERALD GARAPICH, AIA, LLC.**

10 COMMERCE CENTER DRIVE, HENDERSON, NEVADA 89014 702-454-5842 FAX 702-454-7842

---

March 14, 2006

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

Attn: Doug Rankin

**RE: RANCH HOUSE ESTATES  
APN: 125-27-502-023  
COMPELLING JUSTIFICATION LETTER**

**PROJECT NO: 05-912**

Dear Doug:

We respectfully request favorable consideration of our proposed zone change and General Plan Amendment based on the following;

1. Existing land use is R-E with a legal non-conforming commercial use. This proposal will provide a residential buffer to our neighbor to the south.
2. The proposed density is 5 units per acre and 3 units per acre when the entire site is considered.
3. There will be no adverse effect on the public facilities & serviced for 14 homes in this area with respect to schools, parks, fire and police facilities, roads, access, storm water and drainage facilities as a result of our proposed development.
4. The proposed zone change will meet adapted goals and policies by providing an appropriate transition land, use from the development to the south to the freeway on the north.
5. The proposed zone change will not establish an undesirable precedent. We believe the density is compatible to the surrounding area.
6. The waiver of street intersection is appropriate due to limited turning movements and a 125 foot separation has been provided.
7. The variance is to reduce the required lot width for lots 7 & 8. The lot area has been met. The second variance is to reduce the lot size for lots 6 & 9. The lot width has been met. This is due to the cul-de-sac condition.

Should you have any questions or require additional information please contact our office.

Sincerely,

*Richard Gallegos*  
Richard C. Gallegos  
Project Director

**WVR-12403  
04/27/06 PC**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**GENERAL PLAN AMENDMENT**

GPA-12271 - PUBLIC HEARING - APPLICANT: CITY OF LAS VEGAS - OWNER: BUREAU OF LAND MANAGEMENT - Request to amend a portion of the Centennial Hills Sector Plan of the Master Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: L (LOW DENSITY RESIDENTIAL), ML (MEDIUM-LOW DENSITY RESIDENTIAL), MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL), PF (PUBLIC FACILITIES) AND PR-OS (PARKS, RECREATION AND OPEN SPACE) on approximately 160 acres at the northeast corner of Fort Apache Road and Log Cabin Way (APNs 125-05-201-001 and 125-05-101-002), Ward 6 (Ross). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                  |
|--------------------------|----------------------------------|
| Planning Commission Mtg. | <input type="text" value="160"/> |
| City Council Meeting     | <input type="text" value="0"/>   |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="2"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification Letter
5. Backup referenced from the 05/25/06 Planning Commission meeting Item 9

**MOTIONS:**

**ROSS - APPROVED** and adding the following condition as read for the record as follows:

- This approval is of the map shown plotted 5/17/2006.
- UNANIMOUS

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development Department, pointed out the change from a portion in the northeast from R to DR at the request of the neighbors.

DEPUTY CITY ATTORNEY BRYAN SCOTT suggested displaying the amended graphic for clarity.

COUNCILMAN ROSS thanked staff for their efforts regarding this parcel and the concerns of the neighbors.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

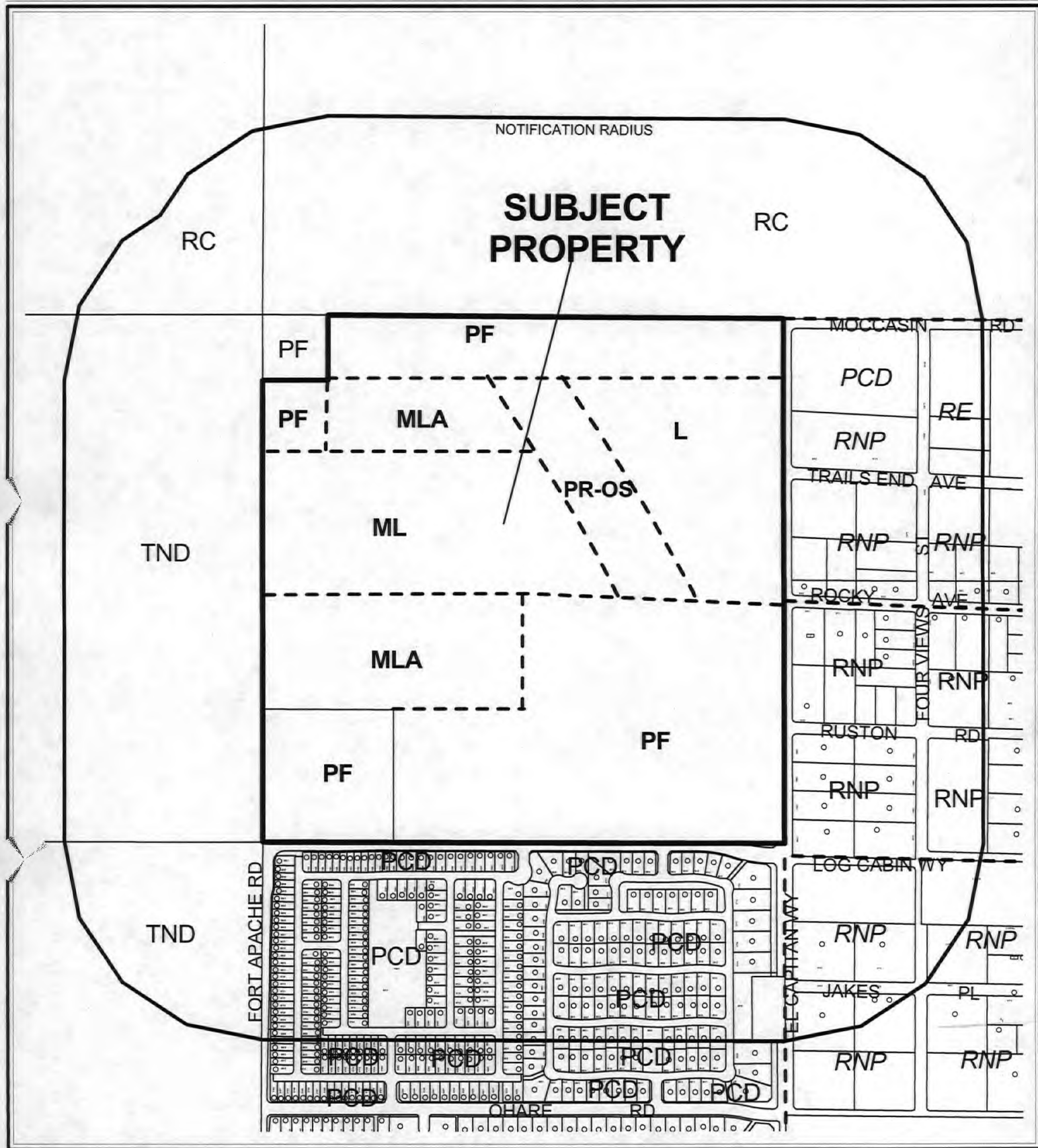
(2:11 - 2:14)

CITY COUNCIL MEETING OF: JUNE 21, 2006

**MINUTES - continued:**

3-1495





**CASE: GPA-12271**

**RADIUS: 1000 FT**

0 700 1400 Feet

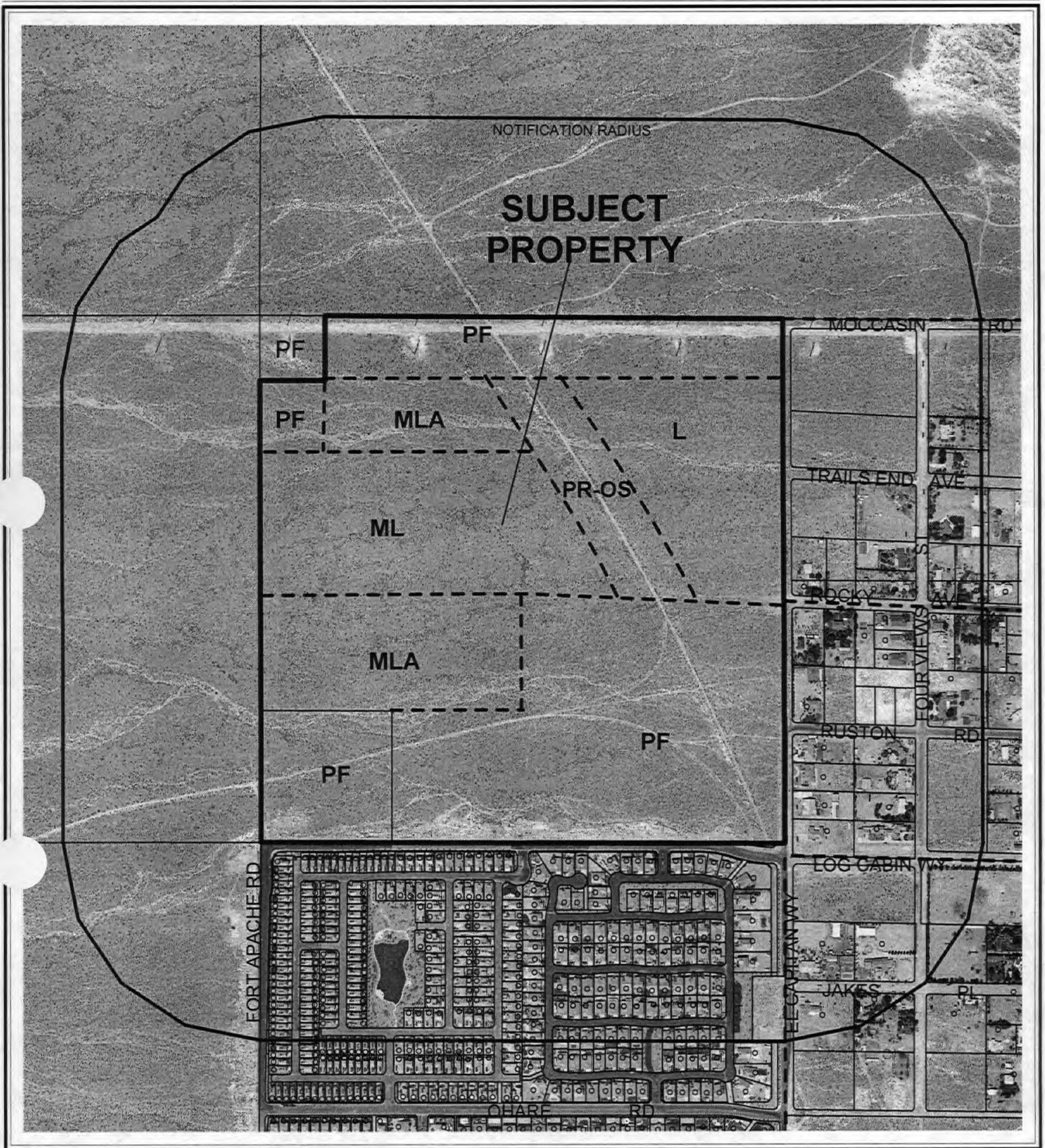


**MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

PCD (PLANNED COMMUNITY DEVELOPMENT)

**PROPOSED MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**

L (LOW DENSITY RESIDENTIAL), ML (MEDIUM-LOW DENSITY RESIDENTIAL), MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL), PF (PUBLIC FACILITIES), AND PR-OS (PARKS, RECREATION AND OPEN SPACE)



**CASE: GPA-12271**

**RADIUS: 1000 FT**

0 700 1400 Feet



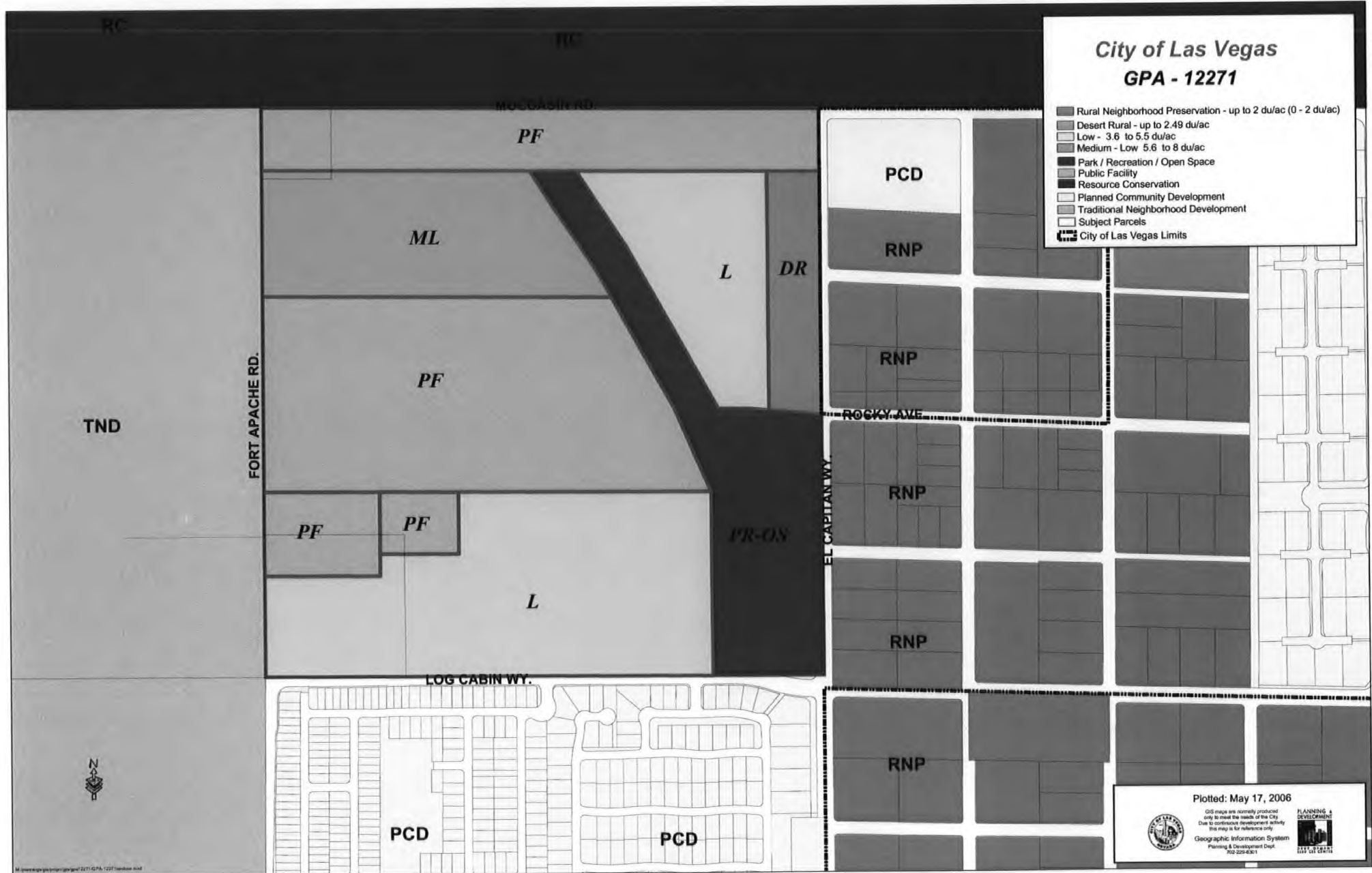
**MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**  
PCD (PLANNED COMMUNITY DEVELOPMENT)

**PROPOSED MASTER PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:**  
L (LOW DENSITY RESIDENTIAL), ML (MEDIUM-LOW DENSITY RESIDENTIAL), MLA (MEDIUM-LOW ATTACHED DENSITY RESIDENTIAL), PF (PUBLIC FACILITIES), AND PR-OS (PARKS, RECREATION AND OPEN SPACE)

# City of Las Vegas

GPA - 12271

-  Rural Neighborhood Preservation - up to 2 du/ac (0 - 2 du/ac)
-  Desert Rural - up to 2.49 du/ac
-  Low - 3.6 to 5.5 du/ac
-  Medium - Low 5.6 to 8 du/ac
-  Park / Recreation / Open Space
-  Public Facility
-  Resource Conservation
-  Planned Community Development
-  Traditional Neighborhood Development
-  Subject Parcels
-  City of Las Vegas Limits



Plotted: May 17, 2006



GIS maps are normally produced only to assist the staff of the City. Due to continuous development activity this map is for reference only.

Geographic Information System  
Planning & Development Dept.  
702-258-4501





*City of Las Vegas*

**AGENDA MEMO**

CITY COUNCIL MEETING DATE: JUNE 21, 2006  
DEPARTMENT: PLANNING AND DEVELOPMENT  
ITEM DESCRIPTION: GPA-12271 - APPLICANT: CITY OF LAS VEGAS - OWNER:  
BUREAU OF LAND MANAGEMENT

---

**\*\* CONDITIONS \*\***

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

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application seeks to change the General Plan land use designation of the subject property located at the northeast corner of Fort Apache Road and Log Cabin Way from PCD (Planned Community Development) to PF (Public Facilities,) PR-OS (Parks Recreation and Open Space,) R (Rural Density Residential,) L (Low Density Residential,) and ML (Medium-Low Density Residential.)

The original request included the MLA (Medium-Low Attached Residential Density) land use category on a 20 acre portion of the site. The MLA category was removed from the application after a series of neighborhood meetings at the request of neighboring property owners. Also a result from the public process, the R (Rural Density Residential) category was added to the land use plan along El Capitan Way to buffer existing rural homes.

**EXECUTIVE SUMMARY**

This Bureau of Land Management (BLM) site must accommodate a number of public uses, including a potential high school, an electric substation and transmission lines, a city park, a city fire station and a potential attainable/workforce housing development. With input from surrounding neighbors, this General Plan Amendment will define uses over the 160-acre site and allow the city of Las Vegas to adequately plan for the use of BLM land. Three meetings have been held with the neighbors and the plan included as part of this application is a direct result of their comments, input and participation in the planning process. The proposal allows for an efficient and orderly transition of land uses over the entire site while providing for needed public facilities. While the neighbors expressed concerns about the proposed future development projects, there was general consensus that the proposed master plan land use designations is preferable to the current PCD (Planned Community Development) designation.

**BACKGROUND DATA:**

- |          |                                                                                                                                                                                                                                                                                                                                 |
|----------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 08/07/85 | The City Council approved the Community Profiles of the city of Las Vegas General Plan by Resolution. On this plan, the subject properties were designated for R (Rural Density Residential land uses) with a maximum density of three dwelling Units Per Acre, PF (Public Facility), P (Parks/Recreation) and S (School) uses. |
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan. The subject site was located in the Northwest Sector Map.                                                                                                                                                                                  |

- 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.
- 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 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 PCD (Planned Community Development) land uses.
- 04/03/06 A neighborhood meeting was held for this item. Please see General Plan Neighborhood Meeting section below for details.
- 04/17/06 A second neighborhood meeting was held. Please see General Plan Neighborhood Meeting section below for details.
- 04/27/06 The item was scheduled to be heard at the Planning Commission meeting, but was abeyed at the applicant's request.
- 05/15/06 A third neighborhood meeting was held. Please see General Plan Neighborhood Meeting section below for details.
- 05/25/06 The Planning Commission voted 6-1/bg to recommend APPROVAL (PC Agenda Item #9/alj).

#### **DETAILS OF APPLICATION REQUEST**

Site Area: 160 Acres

#### **EXISTING LAND USE**

|                  |                         |
|------------------|-------------------------|
| Subject Property | Vacant                  |
| North            | Vacant                  |
| South            | Single Family Dwellings |
| East             | Single Family Dwellings |
|                  | Vacant                  |
| West             | Vacant                  |



## PLANNED LAND USE

Subject Property PCD (Planned Community Development)  
North RC (Resource Conservation)  
South PCD (Planned Community Development)  
East PCD (Planned Community Development)  
RNP (Rural Neighborhood Preservation)  
West TND (Traditional Neighborhood Development)

## EXISTING ZONING

Subject Property R-E (Residence Estates)  
North U (Undeveloped)  
South R-PD3 (Residential Planned Development – 3 Units Per Acre)  
R-PD6 (Residential Planned Development – 6 Units Per Acre)  
East R-E (Residence Estates)  
Unincorporated Clark County  
West U (Undeveloped)

| <i><b>SPECIAL DISTRICTS/ZONES</b></i>      | <b>YES</b> | <b>NO</b> |
|--------------------------------------------|------------|-----------|
| SPECIAL PLAN AREA                          |            | X         |
| RURAL PRESERVATION OVERLAY DISTRICT        |            | X         |
| RURAL PRESERVATION OVERLAY DISTRICT BUFFER | X          |           |
| PROJECT OF REGIONAL SIGNIFICANCE           |            | X         |

| <i><b>EXISTING<br/>GENERAL PLAN<br/>DESIGNATION</b></i> | <i><b>PERMITTED<br/>DENSITY</b></i> | <i><b>PROPOSED<br/>GENERAL PLAN<br/>DESIGNATION</b></i> | <i><b>PERMITTED<br/>DENSITY</b></i> |
|---------------------------------------------------------|-------------------------------------|---------------------------------------------------------|-------------------------------------|
| PCD                                                     | 2 – 8. du/ac                        | PR-OS, PF, R,L and<br>ML                                | 3.6 – 8.49 du/ac                    |

## DEFINITIONS

**RNP (Rural Neighborhood Preservation)** (Zero to 2.0 Units Per Acre). The predominant residential lifestyle of these areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In accordance with an interlocal agreement signed January 2, 2002, the City and Clark County designate those areas recognized for the above-described lifestyle as Rural Neighborhood Preservation areas. These areas are shown on Map 3 of the Centennial Hills Sector Plan. The Interlocal describes areas within the Centennial Hills Sector as “Excepted Areas”. The Excepted Areas” are those that will be annexed in to the City only by request of the individual property

owners. Map 3 shows a boundary that encompasses those parcels that are within the "Excepted Areas" of the Interlocal and represents the limits of the Rural Neighborhood Preservation neighborhoods.

Parcels in the excepted areas at the time of the signing of the Interlocal shall remain Rural Neighborhood Preservation areas whether the parcels annex into the city or not.

***R (Rural Density Residential)*** (up to 3.59 units/Gross acre.) This category is a rural or semi-rural environment with a lifestyle much like that of Desert Rural, but with a smaller allowable lot size

***L (Low Density Residential)*** (3.6 to 5.49 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

***ML (Medium Low Density Residential)*** (5.6 to 8.49 units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.

***PCD (Planned Community Development)***(2 to 8 units/gross acre.) The Planned Community Development category allows for a mix of residential uses that maintain an average overall density ranging from 2 to 8 units per gross acre, depending upon compatibility with adjacent uses (e.g. a density of 2 Units Per Acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development).

Projects in undeveloped areas that are greater than 80 acres in size require a master plan PD (Planned Development) zoning. Projects less than 80 acres in size are not allowed within the PCD (Planned Community Development); however, infill projects may receive a waiver from this requirement.

Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

***PR-OS (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.

***PF (Public Facilities)*** This category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

***RC (Resource Conservation)*** The Resource Conservation land use designation identifies those lands that are not intended to be developed within the time frame of this plan. These lands include the Red Rock Preservation Area and Paiute Indian Community. Properties involved with mineral extraction may also be so designated as Resource Conservation.

***ROW (Right-of-Way)*** A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

## **INTERAGENCY ISSUES**

### ***RURAL PRESERVATION OVERLAY DISTRICT***

A portion of the site is within an area identified as a buffer for a Rural Preservation Overlay District. Title 19.06.150 of the Las Vegas Municipal Code stipulates the identification of a 330-foot transitional buffer around Rural Preservation Overlay District. Within these buffer areas, residential development density must maintain the rural character of the area. Land is disqualified from status as a Rural Preservation Neighborhood, or as a required buffer, if it is closer than 330 feet to a road greater than 99 feet in width. In the case of this application, the portion of the site that is within the Rural Neighborhood Preservation buffer has a proposed general plan designation of PR-OS (Parks/Recreation/Open Spaces) and R (Rural Density Residential – up to 3.49 Units Per Acre.) Both categories will allow for development that conforms to the Rural Preservation requirements.

## **ANALYSIS**

This General Plan Amendment was initiated by the city of Las Vegas to define land uses on a 160-acre parcel of land owned by the Bureau of Land Management (BLM.) A number of public agencies possess or are in the process of obtaining Recreation and Public Purpose (R&PP) reservations through the BLM on portions of the site. The land use plan must account for various public uses; including, a city of Las Vegas fire Station, a city of Las Vegas public park, an electric substation and transmission lines and a Clark County School District high school. In addition to the public facilities, the city identified an opportunity to utilize a provision of the Southern Nevada Public Lands Management Act related to attainable, workforce housings on a 20-acre portion of the site.



With these uses in mind, a land use plan was prepared that accommodated the public facilities and provided an orderly transition of uses from surrounding residences. A series of three neighborhood meetings were held and the land use plan was revised to address comments and input from the neighbors.

The final plan that is included as part of this application includes residential land uses from 3.49 – 8.49 Units Per Acre and land uses for public facilities and parks/recreation/open space. Residential development exists to the east and south of the subject site. Proposed land uses adjacent to existing residences will match or be of a less intense nature than existing development. The most intense residential use contained in this proposal is located at the northwest corner of the site, where a ML (Medium Low Density Residential – up to 8.49 Units Per Acre) density is proposed over approximately 20 acres. Twenty acres at the southeast corner extending northwesterly through the site has been planned for PR-OS (Parks/Recreation/Open Space) recreation uses. Forty acres of PF (Public Facility) land is situated along Fort Apache Road, 120-foot parkway arterial, for use by the Clark County School District for a possible high school. An 18.06 acres swath of land along Moccasin Road (north boundary of subject site) is shown as PF (Public Facilities) to accommodate electric transmission lines. Other PF (Public Facility) land will allow for an electric substation and a future fire station.

This general plan amendment will determine land uses for the parcel. Any project that is to be developed on any portion of the site will be subject to Rezoning and Site Development Review Requirements and will undergo a public hearing process.

Through this general plan amendment, the City can adequately plan for the use of BLM land prior to its disposal, while providing for needed public facilities with cooperation and input from surrounding neighbors.

## **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 General Plan Amendment provides for an orderly transition of land uses. Where development exists adjacent to the subject site, land use will match the existing development or be of a less intense nature. For example at the southeast corner of the site, PR-OS (Parks/Recreation/Open Space) has been located across from existing rural homes with a RNP (Rural Neighborhood Preservation – 2 Units Per Acre) land use designation. Along Log Cabin Way towards the southwest corner of the site, an L (Low Density Residential – up to 5.5 Units Per Acre) is proposed across from an existing subdivision developed at approximately 6 Units Per Acre.

In regard to "2":

The proposed designation will allow for zoning designations consistent with existing residential development. A number of public uses must be accommodated on the subject site that are not present on adjacent development, however Bureau of Land Management (BLM) land reservations necessitate the inclusion of the PF (Public Facilities) land use designation.

In regard to "3":

There are adequate facilities to support the proposed general plan amendment. The Northwest Area Command of the Las Vegas Metropolitan Police Department services the site with a substation at 9850 West Cheyenne Avenue. Fire Station Number 41 located at 7331 North Buffalo Drive is the closest city facility to the site.

The proposal takes into consideration the Master Plan of Streets and Highways alignment for a freeway/expressway (outer beltway) along the north boundary of the subject site. The city's Transportation and Recreation Trails Elements calls for trails along the south and east boundaries of the subject site that will provide connectivity and recreational opportunities for surrounding residents. Utilities have been planned for in cooperation with Nevada Power, a concurrent General Plan Amendment (GPA-12846) seeks to relocate an electric substation onto the subject site. This General Plan Amendment will set the PF (Public Facilities) land use that is necessary for the relocation to occur.

In regard to "4":

The proposal is consistent with other adopted plans and policies, including the Rural Preservation Overlay District. The proposal furthers the city's strategic planning priorities of "create, integrate and manage orderly and sustainable development and growth of our community" and "support and encourage affordability, livability and pride in our neighborhoods."

#### **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 requirements, on 04/03/06

a neighborhood meeting sponsored by the applicant was held. Staff gave a presentation about the proposed general plan amendment, the difference between the general plan and zoning and the public facilities that currently have BLM leases on the site. Staff explained that there is a potential workforce housing project for a 20-acre portion of the site. However, the city is in negotiation with a developer and the final details are yet to be worked out.

61 persons attended and had the following comments, the majority of which were related to apartments, traffic, affordable housing and the proposed high school on the site. A summary of each item is below.

#### *Apartments*

- There was considerable concern about building apartments in the area
- The neighbors feel like this was supposed to be a master planned area that would not include apartments
- The area should be for homeowners, not renters
- Felt that the density (12.49 units/acre) was too high and would be too close to their homes.
- Why apartments here, Summerlin & Aliante don't have apartments?

#### *Traffic*

- There is a large traffic problem along El Capitan and Fort Apache now, this will add to the problem.
- When will Fort Apache and Log Cabin be fully constructed?
- The proposed high school will add too many cars to the area and create a safety hazard.
- The neighbors were told that Log Cabin would remain a quiet residential street.

#### *Affordable Housing*

- Apartment management will not be able to screen applicants
- Neighbors don't feel like anyone should get a free ride. They worked hard for their homes and think others should too.
- What will it look like? What will the square footages of the units be?
- Introducing low income people will ruin surrounding property values.
- Low income people will not be able to get to jobs if they live this far out. No bus service is available in the area.
- Neighbors were against tax payer money going to help low-income residents. Staff explained the program does not include a public subsidy.

#### *Proposed High School*

- The school will add to traffic and safety concerns.
- The neighbors don't want high school children near their homes
- There is a high school on Buffalo, why is one needed here.
- The location near existing rural homes is not ideal.
- Is it possible to change the location of the school



City and Clark Co. School District staff agreed to try and revise the location of the school to address the neighbor's concerns. A second neighborhood meeting is scheduled to be held on 04/17/06. A summary of that meeting will be included prior to the Planning Commission meeting.

## **SECOND NEIGHBORHOOD MEETING**

A second meeting was held on 04/17/06 at Cadwallader Community School. Approximately 171 people attended. Staff presented three alternative land use plans.

Staff provided background on the project for people who did not attend the first neighborhood meeting. Three alternative land use plans were presented. The alternatives were created based upon concerns expressed at the first neighborhood meeting. A presentation about upcoming road projects in the area was given. Many of the residents were upset and the presentation was interrupted on numerous occasions. Questions were taken and answered throughout the meeting. After a short break, display boards of the three alternatives were set up. Attendees were given a sticker and asked to place the sticker on their preferred alternative. Because many attendees expressed that they did not want to vote for any of the alternatives a blank board was set-up as a null option. Many residents wrote "no apartments" on the boards and on their stickers although that was not presented as an option. Breakdown of the voting is below:

| Alternative A | Alternative B | Alternative C | Null Alternative |
|---------------|---------------|---------------|------------------|
| 0             | 36            | 29            | 61               |

### **Comments**

Most of the neighbor's comments were about the proposed apartment project. Most felt that apartments were not appropriate in the area and did not want them near their homes.

- Renters do not belong in this area. They should be further south near the jobs.
- Is the affordable housing going to be for buyers or renters?
- Will it become a transient neighborhood?
- It doesn't make sense to put an affordable housing project here.
- There are rural homes with animals nearby. Apartments won't be compatible with the rural area.
- They want a plan with no apartments.
- What about flood control? El Capitan has problems with flooding.

- Can there be another alternative?
- The City Council has recently approved many conversions of condos to apartments. Why build new apartments?
- What is the timeline for any of the projects? When will something be built?

After the second neighborhood meeting, it was decided to abey the request from the April 27th Planning Commission meeting to the May 25<sup>th</sup> meeting. A postcard concerning the abeyance was sent to every property owner within the notification radius. Additionally, phone calls were placed to everyone who attended the April 17<sup>th</sup> neighborhood meeting to inform them of the abeyance request.

### **THIRD NEIGHBORHOOD MEETING**

A third meeting was held on 05/15/06 at Cadwallader Community School. Approximately 109 people signed-in at the meeting. Staff presented a land use plan that combined the two favored alternatives from the April 17<sup>th</sup> neighborhood meeting. A 3D animation was presented. The animation was used as a visual aid of what a project at a certain density could look like. The animation was built to represent the land use plan that was included on the neighborhood meeting notice. The focus of the neighborhood meeting was on land use and the proposed general plan amendment.

Before the third neighborhood meeting, the Elk Ridge Homeowners association had contacted staff and requested that the land to the north of their subdivision be changed from a PR-OS (Parks/Recreation/Open Space) land use category to L (Low Density Residential.) The homeowner's association feels that single-family homes would be a more effective buffer between their homes and the proposed PF (Public Facilities) land that the Clark County School District has reserved for a high school. Staff presented this additional revision at the third neighborhood meeting.

After the presentation, staff fielded questions from the audience. Many comments echoed concerns that were raised at previous meetings, mainly about affordable housing and rental units.

#### **Comments**

- The rural lifestyle that people who live to the east of the subject site enjoy will be ruined.
- Density of 12.49 Units Per Acre is not acceptable even at the northwest corner of the site. Just because it will be near the outer beltway in the future, doesn't mean it should be apartments. There are single-family subdivisions near US95 that are nice developments.
- What about horse trails and ranches near the site?
- What is the tax break for the developers of the affordable housing development?
- Why is the power substation being moved to the east side of Fort Apache Road.

- The high school seems to be in the right place along Fort Apache, but why low density housing along El Capitan? The land along El Capitan should be R (Rural Density Residential) to match the homes to the east of the site.
- What are the traffic impacts of the proposal?
- Has there been a study about how this proposal will impact our property values?

After the comment period, staff offered the following two options to the audience:

- Option 1
  - Withdraw the item from the Planning Commission agenda
- Option 2
  - Amend the land use plan to eliminate the MLA (Medium Low Attached density Residential – 12.49 Units Per Acres) portion and replace with ML (Medium Low Density Residential – 8.49 Units Per Acre;) and
  - Amend the land use plan to add R (Rural Density Residential – up to 3.49 Units Per Acre) along the El Capitan Frontage.

By a show of hands, six people voted to withdraw the item. The overwhelming majority voted to move forward based on the amendments offered in option #2.

### **PLANNING COMMISSION ACTION**

There were 4 speakers on this project ultimately in favor. The petition in opposition was verbally recinded.

### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 341 by Planning Department

**APPROVALS** 0

**PROTESTS** 160





# PLANNING & DEVELOPMENT



DEVELOPMENT SERVICES CENTER

731 S. Fourth Street  
Las Vegas, NV 89101

TTY 702-386-9108

Voice:

Administration 229-6353

Comp Planning 229-6022

Current Planning 229-6301

[www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)

March 14, 2006

731 S. 4th Street  
Las Vegas, NV 89101

RE: GPA-12271

To Mr. Leobold:

Please accept this letter as justification for GPA-12271 to amend the Centennial Hills Sector Plan on a 160-acre site adjacent to the northwest corner of Fort Apache Road and Log Cabin Way from PCD (Planned Community Development) to L (Low Density Residential), ML (Medium Low Density Residential), MLA (Medium Low Attached Density Residential), PF (Public Facilities) and PR-OS (Parks, Recreation and Open Space.)

This General Plan Amendment will facilitate and number of uses on the site and will ensure that future uses take into consideration the surrounding area. The site is currently owned by the Bureau of Land Management (BLM.) The proposed amendment calls for low density residential to the east side of the site where existing rural homes are located. It also accommodates future public uses (such as a park, a high school and utility facilities) for agencies that have approved BLM reservations/leases on the site.

Please feel free to contact me at 229-4717 with any questions.

Respectfully,

Adrienne Low Joly  
Senior Planner  
City of Las Vegas

Mayor  
Oscar B. Goodman

City Council  
Gary Reese  
(Mayor Pro Tem)  
Larry Brown  
Lawrence Weekly  
Steve Wolfson  
Lois Tarkanian  
Steven D. Ross

City Manager  
Douglas A. Selby



07101-001-07-05

**GPA-12271**  
**04/27/06 PC**

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



## Carman Burney

---

**From:** Nora Lares  
**Sent:** Friday, April 07, 2006 2:48 PM  
**To:** Carman Burney  
**Subject:** FW: Citizen Comments/Internet Submission

Is this your meeting?

-----Original Message-----

**From:** saloke@cox.net [mailto:saloke@cox.net]  
**Sent:** Tuesday, April 04, 2006 11:17 AM  
**To:** planning@LasVegasNevada.gov  
**Subject:** Citizen Comments/Internet Submission

Citizen Name: Sally Szoke

Email: saloke@cox.net

Comments: I want to express my complete displeasure with the proposed development of the area bordered by Log Cabin Way, El Capitan Way, Fort Apache Road, and Moccasin Road in the northwest area of the city. I attended the community meeting at Cadwallader Community School last night (April 3), and was completely surprised by the proposed high school at the noted location. I want to support the suggestion of relocated the proposal to adjacent to Moccasin Road.

I am also very much opposed to the proposed MLA development.

Please e-mail me with the name and e-mail address of the Planning Commissioner for this area of the city so that I may contact him directly.

In addition please forward this e-mail to all pertinent personnel in the Planning and Development Department.

Thank you in advance for your assistance in this matter.

Date: 4/4/2006 11:17:24 AM

ITEM # \_\_\_\_\_  
CASE # GP-12271  
PC MEETING 4.27.06

April 8, 2006

Dear Planning Commission:

I am writing in regards to the recent neighborhood meeting held on April 3, 2006. The reference information is GPA - 12271. I would like to protest the application for the apartments and high school that is being considered for this lot of land. When we purchased our home here in 2004, we were informed that the City of Las Vegas was planning on putting in a 10 acre park and that any homes that would be behind us on Log Cabin would be limited to ranch estates with ½ acre lots only. This is one of the reasons we moved to this area. We have lived by a high school in the past and moved due to the noise, traffic and vandalism that had been occurring. I am also concerned with the idea of bringing in apartments. Once again, we were told that only ½ acre home lots were going to be surrounding us. I am concerned with depreciation, vandalism and the traffic concerns for El Capitan and surrounding streets. There is already backed up lines on El Capitan when the elementary school children are being dropped off and picked up. Even with street re-alignments, I don't see this problem going away. By adding a high school, you will be adding to the traffic problems in the area and also the safety of children walking to school.

If the CCSD must build a school on this site, can I suggest building homes like ours in Quarterhorse Falls II behind us, the 10 acre park where it is planned and the school past the proposed homes? This way, the people who buy those homes would know in advance that there may be a high school built sometime in the near future. The apartments could go on the other side of the school or closer to the freeway area. Has anyone thought of putting the high school next to the elementary schools or turn it into a junior high, which may be needed to ease the crowding of Cadwallader?

I would like to make it clear that I am protesting the apartments all together. Perhaps duplexes may be an option, but not apartments.

Thank you for your time and understanding our communities concerns.

Sincerely,



E. Coburn

Quarterhorse Falls II resident  
437-0049

ITEM # 34  
CASE # GPA-12271  
PC MEETING 4-27-06

P

# Telephone Protest/ Approval Log

Meeting Date: 4/27/06

Case Number: GPA-12271

Date: 4/21/06  
Name: Kathy McLeary  
Address: EE 20 Egyptian Ave  
Ed 143  
Phone: 646-3462  
☒ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE  
ITEM # 34  
CASE # GPA-12271

PC MEETING 4-27-06

P



## Carman Burney

---

**From:** Adrienne Low  
**Sent:** Monday, May 15, 2006 1:31 PM  
**To:** Carman Burney  
**Subject:** FW: GPA-12271 and GPA-12846

Protest

---

**From:** Cjrosales5@aol.com [mailto:Cjrosales5@aol.com]  
**Sent:** Saturday, May 13, 2006 9:45 AM  
**To:** alow@lasvegasnevada.gov  
**Subject:** GPA-12271 and GPA-12846

Adrienne Joly:

I am sending my strong objection to proposal GPA-12271 and GPA-12846, planned for the 160 acres adjacent to the northeast corner of Fort Apache Road and Log Cabin Way. Building lower Income Housing and a High School in our area will decrease our present housing value. It will also make the area congested, creating a massive traffic problem along El Capitan and the surrounding road ways.

I hope the city will reconsider the plan and build this project elsewhere. I have worked hard and chose to invest my money into a house, in a quiet environment for retirement. Now because of this proposed development, I stand to lose money on what I have worked so long and hard to achieve.

I ask that this plan be reconsidered for another location.

Sincerely yours,

Cesar & Cecilia Rosales  
8917 Arabian Filly Avenue  
Las Vegas, NV 89143

*Kelly & Sullivan, Ltd.*

Attorneys at Law

evin M. Kelly, Esq.\*  
ean P. Sullivan, Esq.\*Admitted for Practice in  
Nevada and Massachusetts**FACSIMILE TRANSMITTAL SHEET**

DATE:

5-25-06

PLEASE

DELIVER TO:

Adrienne Law

FAX NUMBER:

474-7403

FROM:

Kelley Murphy, President, Elk Ridge HOA

NUMBER OF PAGES TO FOLLOW:

23

ORIGINAL FOLLOWING BY:

☐ US MAIL☐ FEDERAL EXPRESS☐ HAND DELIVERY☒ ORIGINAL NOT FOLLOWING

If you do not receive all of the pages or if there are any transmission problems, please call (702) 385-7270 immediately.

REGARDING:

GPA 12271Meeting Tonight

NOTES:

Petition + signatures attachedper your instructionsThank you.

ITEM #

9

CASE #

GPA-12271

PC MEETING

5.25.06**Notice**

The information contained in this transmission is privileged and confidential. It is intended for the use of the individual or entity named above. If the reader of this message is not the intended addressee, the reader is hereby notified that any consideration, dissemination, publication or duplication of this communication is strictly prohibited. If you have received this communication in error, please contact us immediately.

**READ INTO  
THE RECORD**302 E. Carson Ave., Suite 600, Las Vegas, Nevada 89101  
(702) 385-7270 Fax (702) 385-7282

KMK

191 Signatures  
SPS  
150 addresses

**PETITION****PETITION****PETITION**

We, the below signed homeowners live within a 2000 foot radius of the area being considered for **Rezoning from Rural Estates to High Density Work Force Housing**, and we are opposed to the Rezoning. **Therefore we petition the City Planning Commission and the City Council to decline the zoning change.**

**Reason #1:**

The rezoning will dramatically impact the infrastructure of our area which is already overburdened by the traffic situation. There is only one street that can convey vehicles from the most Northern part of the area to the on and off ramp of I95 and Durango without routing traffic through the various neighborhoods. This street being El Capitan, which is currently, extremely, overburdened during the morning rush hour and the evening rush hours because of the school traffic. We currently have two Elementary Schools located at 9371 Iron Mountain and 9370 Brent Lane. These schools are accessed by vehicular traffic from El Capitan which acts as the feeder for Iron Mountain and Brent Lane. Iron Mountain and Brent Lane are not major arteries and convey traffic into a dead-end type situation. The dirt road leading from the schools, across open desert space is currently being used as a bootlegged avenue of ingress and egress by drivers to bypass this traffic situation.

**Reason #2:**

This rezoning opens the area up for the placement of a high school in an area that was originally zoned for Rural Estates. The houses in this area were purchased by the homeowners for this reason. The noises from the school will impact this quiet neighborhood along with the field lights at night during school events. These school events will even increase the traffic congestion over and above the normal congestion and will tax our infrastructure even more. Not only will the employees of the school add more vehicle traffic to our current traffic problem but the amount of vehicles that the students will add along with the bus traffic will make the area more congested and driving unsafe.

**Reason #3:**

The implementation of high density housing will also have a negative effect on the property values as well as the vehicular congestion. Most of the homeowners purchased their homes based on the information that the adjoining property was going to be developed as rural estates which is a long way from the proposed High Density Housing.

**Reason #4:**

It is obvious that the Nevada Power Station was moved to meet the requests of the developers of the Kyle Canyon development. The original site for the power station was west of Fort Apache and now has been moved east into this area.

**Reason #5:**

The notices that were sent out by the Planning Commission are ambiguous and falsely describe the area in question. The current zoning, according to the City of Las Vegas Interactive map should be RE not PCD. Therefore the zoning change, as the applicant has not met the burden of proof required to change the Master Plan from the current RE zoning.



# Petition

# Petition

# Petition

MAY 25 06 09:44a

Kelly & Sullivan

702-385-7282

P.3

1 Melanie Dunlop  
Name

8905 Arabian Filly  
Address

89143  
Zip Code

396-3156  
Telephone Number

4/17  
Date

2 Dale T. Dwyer  
Name

8905 Arabian Filly  
Address

89143  
Zip Code

396-3156  
Telephone Number

4/17  
Date

3 Leslie Luty  
Name

8925 Mannix Ct  
Address

89143  
Zip Code

396-5018  
Telephone Number

4/17  
Date

4 Daniel Marx  
Name

10216 Four Views St  
Address

89143  
Zip Code

217-4307  
Telephone Number

4/17  
Date

5 Chene Marx  
Name

10216 Four View St  
Address

89143  
Zip Code

217-4308  
Telephone Number

4/17  
Date

6 Donald Pierce  
Name

9120 Black Elk Ave  
Address

89143  
Zip Code

395-5790  
Telephone Number

4/17  
Date

7 MIKE MICHAEL MCKEAG  
Name

8820 EGYPTIAN AVE  
Address

89143  
Zip Code

646-3462  
Telephone Number

4/17  
Date

8 Jessie Moll  
Name

8690 Rocky Ave  
Address

89143  
Zip Code

253-1494  
Telephone Number

4/17  
Date

9 Darin Walker  
Name

9853 Red Deer St  
Address

89143  
Zip Code

246-8412  
Telephone Number

4/17  
Date

10 \_\_\_\_\_  
Name

\_\_\_\_\_  
Address

\_\_\_\_\_  
Zip Code

\_\_\_\_\_  
Telephone Number

\_\_\_\_\_  
Date

## Petition

## Petition

## Petition

May 25 06 09:44a

Kelly &amp; Sullivan

702-385-7282

P. 4

|    |    |                           |                               |                  |                     |                    |
|----|----|---------------------------|-------------------------------|------------------|---------------------|--------------------|
| 8  | 1  | Tomas Cantu               | 8812 Broadmore Ave            | 89143            | 452-6648            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
|    | 2  | Leticia I. Cantu          | 8812 Broadmore Ave            | 89143            | 452-6648            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
| 9  | 3  | <del>Robert Kennedy</del> | <del>8808 Broadmore Ave</del> | <del>89143</del> | <del>360-1975</del> | <del>4/17/06</del> |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
|    | 4  | Mary Ann Kennedy          | 8808 Broadmore Ave            | 89143            | 360-1975            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
| 10 | 5  | Tom Myers                 | 8832 Arabian Filly Ave        | 89143            | 255-8687            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
|    | 6  | Laura Myers               | 8832 Arabian Filly Ave        | 89143            | 255-8687            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
| 11 | 7  | Tammy Stevens             | 9713 Paso Fino St.            | 89143            | 395-7801            | 4/17/06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
|    | 8  | Brian Stevens             | 9713 Paso Fino St.            | 89143            | 395-7801            | 4-17-06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
| 12 | 9  | Kristine Volk             | 9940 Four Views St.           | 89143            | 334-4669            | 4-17-06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |
| 13 | 10 | DIANE VANDERSLICE         | 9117 White Eyes               | 89143            | 612-8656            | 4-17-06            |
|    |    | Name                      | Address                       | Zip Code         | Telephone Number    | Date               |

|    |                  |                  |       |              |         |
|----|------------------|------------------|-------|--------------|---------|
| 14 | Bondolfi         | 9825 Fast Elk St | 89143 | 702 656 6888 | 4/17/06 |
| 15 | Stephanie Devore | 9818 Red Deer St | 89143 | 702 399-3727 | 4/17/06 |



Petition

Petition

Petition

|    |    |                            |                                               |                          |                                     |                        |
|----|----|----------------------------|-----------------------------------------------|--------------------------|-------------------------------------|------------------------|
| 10 | 1  | <u>Bob Szoke</u><br>Name   | <u>8930 Mannix Ct</u><br>Address              | <u>89143</u><br>Zip Code | <u>395-6036</u><br>Telephone Number | <u>4/17/06</u><br>Date |
| 17 | 2  | <u>Glen Martin</u><br>Name | <u>9845 Friesian</u><br>Address               | <u>89143</u><br>Zip Code | <u>240-6542</u><br>Telephone Number | <u>4-17-06</u><br>Date |
| 10 | 3  | <u>Jeff Dean</u><br>Name   | <u>8630 Rocky Ave</u><br>Las Vegas<br>Address | <u>89143</u><br>Zip Code | <u>593-2281</u><br>Telephone Number | <u>4-17-06</u><br>Date |
|    | 4  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 5  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 6  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 7  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 8  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 9  | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |
|    | 10 | _____<br>Name              | _____<br>Address                              | _____<br>Zip Code        | _____<br>Telephone Number           | _____<br>Date          |

May 25 06 09:44a

Kelly & Sullivan

702-385-7282

P.6

|    | <u>NAME</u>                    | <u>h. res</u>             | <u>Zip</u> | <u>phone</u> | <u>date</u> |
|----|--------------------------------|---------------------------|------------|--------------|-------------|
| 19 | 1. BRUCE & DIANE THOMPSON      | 9057 RUSTY RIFLE<br>89143 | 89143      | 396-5501     | 4-17-06     |
| 20 | 2. Hongli Xu                   | 9717 Puro Fino            | 89143      | 656-2347     | 4/17/06     |
| 21 | 3. Marie Green<br>Melvin Green | 9815 Homestead Rd         | 89143      | 396-9864     | 4-17-06     |

Petition

Petition

Petition

May 25 06 09:44a

Kelly & Sullivan

702-385-7282

P.8

|    |    |                                 |                                       |                           |                                         |                          |
|----|----|---------------------------------|---------------------------------------|---------------------------|-----------------------------------------|--------------------------|
| 22 | 1  | <u>Mark Duetz</u><br>Name       | <u>8917 Glenview</u><br>Address       | <u>89113</u><br>Zip Code  | <u>396-1418</u><br>Telephone Number     | <u>15-Apr-06</u><br>Date |
| 23 | 2  | <u>Kimberly Morris</u><br>Name  | <u>9844 Red Horse St</u><br>Address   | <u>89143</u><br>Zip Code  | <u>444-4435</u><br>Telephone Number     | <u>15-Apr-06</u><br>Date |
| 24 | 3  | <u>Alicia Morales</u><br>Name   | <u>9837 Fast Elk St</u><br>Address    | <u>981143</u><br>Zip Code | <u>619-395-3174</u><br>Telephone Number | <u>4/15/06</u><br>Date   |
| 25 | 4  | <u>Donald Thomas</u><br>Name    | <u>9024 Blue Raven Ave</u><br>Address | <u>89143</u><br>Zip Code  | <u>702-661-8855</u><br>Telephone Number | <u>4/15/06</u><br>Date   |
| 25 | 5  | <u>Anna Shipp</u><br>Name       | <u>9024 Blue Raven</u><br>Address     | <u>89143</u><br>Zip Code  | <u>702-651-8855</u><br>Telephone Number | <u>4/15/06</u><br>Date   |
| 26 | 6  | <u>Merwin L. Olson</u><br>Name  | <u>9842 Running Rabbit</u><br>Address | <u>89143</u><br>Zip Code  | <u>702-453-5619</u><br>Telephone Number | <u>4/15/06</u><br>Date   |
| 26 | 7  | <u>Brendan L. Olson</u><br>Name | <u>9842 Running Rabbit</u><br>Address | <u>89143</u><br>Zip Code  | <u>702-453-5619</u><br>Telephone Number | <u>4/15/06</u><br>Date   |
| 27 | 8  | <u>Audrey Sylvester</u><br>Name | <u>8916 Broodmare Ave</u><br>Address  | <u>89143</u><br>Zip Code  | <u>702-655-5580</u><br>Telephone Number | <u>4-17-06</u><br>Date   |
| 27 | 9  | <u>Shane Sylvester</u><br>Name  | <u>8916 Broodmare Av.</u><br>Address  | <u>89143</u><br>Zip Code  | <u>702-655-5580</u><br>Telephone Number | <u>4-17-06</u><br>Date   |
| 28 | 10 | <u>Brian Cain</u><br>Name       | <u>9404 Ironsides St</u><br>Address   | <u>89143</u><br>Zip Code  | <u>702-243-2359</u><br>Telephone Number | <u>4-17-06</u><br>Date   |



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|    |    |                                    |                                        |                          |                                           |                        |
|----|----|------------------------------------|----------------------------------------|--------------------------|-------------------------------------------|------------------------|
| 29 | 1  | <u>Roch T. Peña</u><br>Name        | <u>9020 Barium Rock</u><br>Address     | <u>89143</u><br>Zip Code | <u>(702) 212-6173</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 30 | 2  | <u>Chris Henson</u><br>Name        | <u>2508 Indain Sage Way</u><br>Address | <u>89108</u><br>Zip Code | <u>(702) 638-0179</u><br>Telephone Number | <u>4/15/04</u><br>Date |
| 31 | 3  | <u>Warren Brown, Jr</u><br>Name    | <u>9209 Empire Rock</u><br>Address     | <u>8914</u><br>Zip Code  | <u>(702) 645-3286</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 32 | 4  | <u>Lucie Toto</u><br>Name          | <u>9213 " "</u><br>Address             | <u>89143</u><br>Zip Code | <u></u><br>Telephone Number               | <u>4-15-06</u><br>Date |
| 32 | 5  | <u>Donald Toto</u><br>Name         | <u>9213 Empire Rock</u><br>Address     | <u>89143</u><br>Zip Code | <u>(702) 876 9541</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 33 | 6  | <u>Violette Aschbacher</u><br>Name | <u>9305 Empire Rock St.</u><br>Address | <u>89143</u><br>Zip Code | <u>(702) 656-6621</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 34 | 7  | <u>LISA Lechacek</u><br>Name       | <u>9408 Empire Rock</u><br>Address     | <u>89143</u><br>Zip Code | <u>702 3637250</u><br>Telephone Number    | <u>4/14/06</u><br>Date |
| 35 | 8  | <u>George Kemp</u><br>Name         | <u>9308 Grand Gate</u><br>Address      | <u>89143</u><br>Zip Code | <u>702-395-3627</u><br>Telephone Number   | <u>4/14/06</u><br>Date |
| 36 | 9  | <u>Michael Blane</u><br>Name       | <u>8912 Coldstone</u><br>Address       | <u>89143</u><br>Zip Code | <u>702-400-6763</u><br>Telephone Number   | <u>4/15/06</u><br>Date |
| 37 | 10 | <u>Melinda Wookman</u><br>Name     | <u>8900 Goldstone Lane</u><br>Address  | <u>89143</u><br>Zip Code | <u>6460027</u><br>Telephone Number        | <u>4-15-06</u><br>Date |

# Petition

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|                  |                                   |                                                     |                          |                                     |                        |
|------------------|-----------------------------------|-----------------------------------------------------|--------------------------|-------------------------------------|------------------------|
| 38 <sub>1</sub>  | <u>Lisa Antonacci</u><br>Name     | <u>9404 Konsend St. <sup>LV</sup> NV</u><br>Address | <u>89143</u><br>Zip Code | <u>243-2359</u><br>Telephone Number | <u>4/17/06</u><br>Date |
| 39 <sub>2</sub>  | <u>Sally Szoke</u><br>Name        | <u>8932 Mannix Ct</u><br>Address                    | <u>89143</u><br>Zip Code | <u>395-6036</u><br>Telephone Number | <u>4/17/06</u><br>Date |
| 40 <sub>3</sub>  | <u>Michelle Szoke</u><br>Name     | <u>8820 Arabian Filly Ave.</u><br>Address           | <u>89143</u><br>Zip Code | <u>395-4608</u><br>Telephone Number | <u>4/17/06</u><br>Date |
| 41 <sub>4</sub>  | <u>Mika Szoke</u><br>Name         | <u>8820 Arabian Filly Avenue</u><br>Address         | <u>89143</u><br>Zip Code | <u>395-4608</u><br>Telephone Number | <u>4/17/06</u><br>Date |
| 42 <sub>5</sub>  | <u>Abigail Macclay</u><br>Name    | <u>9712 Miniature St</u><br>Address                 | <u>89145</u><br>Zip Code | <u>515-727</u><br>Telephone Number  | <u>4-17-06</u><br>Date |
| 43 <sub>6</sub>  | <u>Alexey Prieto</u><br>Name      | <u>9712 Miniature St</u><br>Address                 | <u>89143</u><br>Zip Code | <u>515-7707</u><br>Telephone Number | <u>4-17-06</u><br>Date |
| 44 <sub>7</sub>  | <u>Scott MacIne</u><br>Name       | <u>9140 Black Elk Ave</u><br>Address                | <u>89143</u><br>Zip Code | <u>220-8190</u><br>Telephone Number | <u>4-17-06</u><br>Date |
| 45 <sub>8</sub>  | <u>Mandy Salinas</u><br>Name      | <u>9140 Black Elk Ave</u><br>Address                | <u>89143</u><br>Zip Code | <u>220-8190</u><br>Telephone Number | <u>4-17-06</u><br>Date |
| 46 <sub>9</sub>  | <u>Anjanette Sterling</u><br>Name | <u>9141 Sterling Way Pl</u><br>Address              | <u>89143</u><br>Zip Code | <u>645-2298</u><br>Telephone Number | <u>4-17-06</u><br>Date |
| 47 <sub>10</sub> | <u>Jonny Sturdy</u><br>Name       | <u>9416 Leadbrick Rd</u><br>Address                 | <u>89143</u><br>Zip Code | <u>575-1001</u><br>Telephone Number | <u>4/17/06</u><br>Date |

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Donna Lott

Name

James Lott

Name

Antonio Berge Jr.

Name

Mary Dickson

Name

[Signature]

Name

TD Ticiano

Name

Traci Ticiano

Name

Ken Dowdy

Name

David Azzano

Name

BARBARA COBURN

W.W. Coburn

Name

9116 BLACKCOK

Address

9116 Black Elk Ave.

Address

9048 White Oak Ave

Address

9990 Four Views

Address

9830 Running Rabbit St

Address

9719 Running Rabbit St

Address

9719 Running Rabbit St.

Address

8780 Rock Ave

Address

8829 Arabian Filly Ave

Address

8720 ROCKY

Address

89143

Zip Code

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702-630-0025

Telephone Number

702-395-3400

Telephone Number

253-7053

Telephone Number

240-7544

Telephone Number

757-7676

Telephone Number

592-2554

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592-2554

Telephone Number

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|    |    |                                      |                                       |                          |                                         |                        |
|----|----|--------------------------------------|---------------------------------------|--------------------------|-----------------------------------------|------------------------|
| 55 | 1  | <u>AL GARCIA</u><br>Name             | <u>9060 BLACK ELK AVE</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-236-5993</u><br>Telephone Number | <u>4-14-06</u><br>Date |
| 56 | 2  | <u>Nathaniel Herman</u><br>Name      | <u>9117 Blue Raven Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>702-396-8660</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 57 | 3  | <u>Nathaniel Bettisworth</u><br>Name | <u>9101 white Eyes Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>702-449-6107</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 58 | 4  | <u>Jesse Decker</u><br>Name          | <u>9812 Fast Elk</u><br>Address       | <u>89143</u><br>Zip Code | <u>702-290-8532</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 59 | 5  | <u>Nancy Abbott</u><br>Name          | <u>9724 Fast Elk</u><br>Address       | <u>89143</u><br>Zip Code | <u>702-256-9381</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 60 | 6  | <u>Trig Peters</u><br>Name           | <u>9716 Fast Elk St</u><br>Address    | <u>89143</u><br>Zip Code | <u>702-360-0531</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 61 | 7  | <u>Wann Brown</u><br>Name            | <u>SAME</u><br>Address                | <u>89143</u><br>Zip Code | <u>702-360-0531</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 62 | 8  | <u>Dani Bueh</u><br>Name             | <u>same</u><br>Address                | <u>89143</u><br>Zip Code | <u>702-360-0531</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 63 | 9  | <u>Jeff Tiscada</u><br>Name          | <u>9700 Fast Elk St</u><br>Address    | <u>89143</u><br>Zip Code | <u>702-360-0531</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 64 | 10 | <u>Max Pyneker</u><br>Name           | <u>same</u><br>Address                | <u>89143</u><br>Zip Code | <u>702-360-0531</u><br>Telephone Number | <u>4-15-06</u><br>Date |

54 Fort Apache  
59 Inappropriate Land for this - NO Public Transportation  
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|    |    |                    |                        |          |                  |               |
|----|----|--------------------|------------------------|----------|------------------|---------------|
| 63 | 1  | Jill Stidham       | 9837 Red Deer St.      | 89143    | 657-0108         | Apr. 14, 2006 |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 64 | 2  | Shawna Stauffer    | 9020 Black Elk Ave.    | 89143    | 413-1529         | 4/14/06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 65 | 3  | Jorge Melendrez    | 9016 Black Elk Ave.    | 89143    | 658-5381         | 4-14-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 66 | 4  | KEVIN GREGG        | 9025 BLACK ELK AVE     | 89143    | 896-8897         | 4-14-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 67 | 5  | Will Stauffer      | 9020 Black Elk ave     | 89143    | 413-1529         | 4-14-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 68 | 6  | Linda Nielson      | 9836 Red Deer St.      | 89143    | 436-2714         | 4-17-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 69 | 7  | Levi's Gibaldi     | 9712 Red Deer ST       | 89143    | 360-3069         | 4-17-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 70 | 8  | MICHAEL WEBBERSON  | 8824 REINING SPUR AVE. | 89143    | 645-6134         | 4/17/06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 70 | 9  | CATALINA WEBBERSON | 8824 REINING SPUR AVE  | 89143    | 645-6134         | 4-17-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |
| 71 | 10 | Robert Grabowski   | 8908 Broadmoor Ave.    | 89143    | 656-9328         | 4-17-06       |
|    |    | Name               | Address                | Zip Code | Telephone Number | Date          |

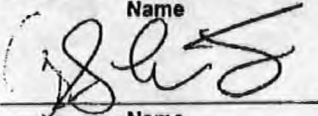
## Petition

## Petition

## Petition

|    |    |                                    |                                       |                          |                                           |                        |
|----|----|------------------------------------|---------------------------------------|--------------------------|-------------------------------------------|------------------------|
| 72 | 1  | <u>Mark Reynolds</u><br>Name       | <u>9325 HARLOW RD</u><br>Address      | <u>89143</u><br>Zip Code | <u>280851-5565</u><br>Telephone Number    | <u>4-15-06</u><br>Date |
|    | 2  | <u>Candy Earl</u><br>Name          | <u>8908 Goldstone Ave.</u><br>Address | <u>89143</u><br>Zip Code | <u>(702) 636-4187</u><br>Telephone Number | <u>4-15-06</u><br>Date |
| 73 | 3  | <u>Antonio M Butler</u><br>Name    | <u>8908 Goldstone Ave</u><br>Address  | <u>89143</u><br>Zip Code | <u>702372-4958</u><br>Telephone Number    | <u>4-15-06</u><br>Date |
| 74 | 4  | <u>ANGITO RAMIREZ</u><br>Name      | <u>8905 Glenistal Gate</u><br>Address | <u>89143</u><br>Zip Code | <u>(702) 655-7337</u><br>Telephone Number | <u>4-15-06</u><br>Date |
|    | 5  | <u>Brian Banks</u><br>Name         | <u>9004 Glenistal Gate</u><br>Address | <u>89143</u><br>Zip Code | <u>702-658-9944</u><br>Telephone Number   | <u>4-15-06</u><br>Date |
| 75 | 6  | <u>Carmilla Banks</u><br>Name      | <u>9004 Glenistal Gate</u><br>Address | <u>89143</u><br>Zip Code | <u>702-658-9944</u><br>Telephone Number   | <u>4-15-06</u><br>Date |
| 76 | 7  | <u>Miguel Morales</u><br>Name      | <u>9837 Fast Elk St</u><br>Address    | <u>89143</u><br>Zip Code | <u>395-3174</u><br>Telephone Number       | <u>4/15/06</u><br>Date |
| 77 | 8  | <u>Wanda L. Montgomery</u><br>Name | <u>9061 Black Elk Ave.</u><br>Address | <u>89143</u><br>Zip Code | <u>641.7467</u><br>Telephone Number       | <u>4/17/06</u><br>Date |
|    | 9  | <u>Cela Costa</u><br>Name          | <u>9061 Black Elk Ave.</u><br>Address | <u>89143</u><br>Zip Code | <u>641-7467</u><br>Telephone Number       | <u>4-17-06</u><br>Date |
| 78 | 10 | <u>John Minicello</u><br>Name      | <u>9012 Black Elk</u><br>Address      | <u>89143</u><br>Zip Code | <u>839-1489</u><br>Telephone Number       | <u>4/17/06</u><br>Date |



|    |    |                                                                                   |                     |          |                  |         |
|----|----|-----------------------------------------------------------------------------------|---------------------|----------|------------------|---------|
| 79 | 1  | Jeremy B. Payne                                                                   | 9717 Fast Elk st.   | 89143    | (702) 396-9599   | 4-15-06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
|    | 2  | Jasen Payne                                                                       | 9717 Fast Elk St.   | 89143    | (702) 396-9599   | 4-15-06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 80 | 3  | Tama'oa Williams                                                                  | 9721 Fast Elk Pt.   | 89143    | (702) 646-4009   | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 81 | 4  |  | 9857 Fast Elk St.   | 89143    | 702-6493273      | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 82 | 5  | Jason Carroll                                                                     | 9828 Fast Elk       | 89143    | 702-252-4684     | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 83 | 6  | Michael Maida                                                                     | 9824 Fast elk       | 89143    | (702) 370-9092   | 4-15-06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 84 | 7  | Brian Gray                                                                        | 9136 Black Elk Ave. | 89143    | (702) 658-7901   | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 85 | 8  | Debra D. Dorsey                                                                   | 9052 Black Elk Ave. | 89143    | (702) 648-4570   | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 86 | 9  | Eric Wiseman                                                                      | 9044 Black Elk Ave  | 89143    | (702) 204-5586   | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |
| 87 | 10 | Kristine Denny                                                                    | 9030 Black Elk Ave  | 89143    | 702-870-1688     | 4/15/06 |
|    |    | Name                                                                              | Address             | Zip Code | Telephone Number | Date    |

Petition

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|    |    |                                |                                         |                          |                                         |                        |
|----|----|--------------------------------|-----------------------------------------|--------------------------|-----------------------------------------|------------------------|
| 88 | 1  | <u>HOA T. LY</u><br>Name       | <u>9045 BARIUM ROCK AVE</u><br>Address  | <u>89143</u><br>Zip Code | <u>702 839-0222</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 89 | 2  | <u>MIKE PAYNE</u><br>Name      | <u>9423 Leadbrick St.</u><br>Address    | <u>89143</u><br>Zip Code | <u>702-396-4096</u><br>Telephone Number | <u>4/14/06</u><br>Date |
|    | 3  | <u>DIANNE PAYNE</u><br>Name    | <u>9423 Leadbrick St.</u><br>Address    | <u>89143</u><br>Zip Code | <u>702-396-4096</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 90 | 4  | <u>CHRISTIAN DUNEL</u><br>Name | <u>8929 Barium Rock Ave</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-656-8920</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 91 | 5  | <u>ROBIN FISHER</u><br>Name    | <u>8901 Barium Rock Ave</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-683-6590</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 92 | 6  | <u>DIANE HOY</u><br>Name       | <u>8813 Barium Rock Ave</u><br>Address  | <u>89143</u><br>Zip Code | <u>702 413 9347</u><br>Telephone Number | <u>4/15-06</u><br>Date |
| 93 |    | <u>LEONARD MALLER</u><br>Name  | <u>9208 Grand Gate St</u><br>Address    | <u>89143</u><br>Zip Code | <u>702-655-8750</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 94 | 8  | <u>[Signature]</u><br>Name     | <u>9212 Harrow Rock</u><br>Address      | <u>89143</u><br>Zip Code | <u>702.794.4651</u><br>Telephone Number | <u>4/15/06</u><br>Date |
|    | 9  | <u>[Signature]</u><br>Name     | <u>9212 Harrow Rock</u><br>Address      | <u>89143</u><br>Zip Code | <u>702 839 9652</u><br>Telephone Number | <u>4/15/06</u><br>Date |
| 95 | 10 | <u>GABRIEL CRESSO</u><br>Name  | <u>8920 Glenstar Gate A.</u><br>Address | <u>89143</u><br>Zip Code | <u>702-832-9323</u><br>Telephone Number | <u>4/15/06</u><br>Date |

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|     |    |                                  |                                      |                          |                                          |                        |
|-----|----|----------------------------------|--------------------------------------|--------------------------|------------------------------------------|------------------------|
| 96  | 1  | <u>Leverett J Estain</u><br>Name | <u>9849 Red Horse St.</u><br>Address | <u>89143</u><br>Zip Code | <u>702 416 0718</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
| 97  | 2  | <u>Kelly Harrison</u><br>Name    | <u>9824 Red Horse St</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-645-8151</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
| 98  | 3  | <u>JAMES LITTLE</u><br>Name      | <u>9841 RED HORSE ST</u><br>Address  | <u>89143</u><br>Zip Code | <u>(702)838-8394</u><br>Telephone Number | <u>4/13/06</u><br>Date |
| 99  | 4  | <u>Crystal Muler</u><br>Name     | <u>9833 Red Horse St</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-438-9482</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
|     | 5  | <u>John Muler</u><br>Name        | <u>9833 Red Horse St</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-438-9482</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
| 100 | 6  | <u>Cory Ben</u><br>Name          | <u>9721 Red Horse St</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-307-1271</u><br>Telephone Number  | <u>4-13-06</u><br>Date |
| 101 | 7  | <u>Alisa Tagle</u><br>Name       | <u>9816 Red Horse</u><br>Address     | <u>89143</u><br>Zip Code | <u>702-353-1578</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
| 102 | 8  | <u>JEFF DENNIS</u><br>Name       | <u>9832 Red Horse</u><br>Address     | <u>89143</u><br>Zip Code | <u>702 341 8261</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
|     | 9  | <u>JENNIFER DENNIS</u><br>Name   | <u>9832 Red Horse St</u><br>Address  | <u>89143</u><br>Zip Code | <u>702-341-8261</u><br>Telephone Number  | <u>4/13/06</u><br>Date |
| 103 | 10 | <u>DAVE DURETT</u><br>Name       | <u>8750 RUSTON RD</u><br>Address     | <u>89143</u><br>Zip Code | <u>702-645-7013</u><br>Telephone Number  | <u>4-17-06</u><br>Date |



104- Kimberly N. Bunter 8730 Jakes Place Bld 89143 (702) 396-6434 4-17-06  
 Matthew C. Repley 8730 Jakes Place 89143 (702) 460-8667 4-17-06  
 Lori Ann Landers 8730 Jakes Pl. 89143 (702) 328-5310 4-17-06  
 105 Zanya Thorne 8720 Jakes Pl 89143 (702) 867-8490 4-17-06

Petition

Petition

Petition

|     |    |                                    |                                        |                          |                                     |                        |
|-----|----|------------------------------------|----------------------------------------|--------------------------|-------------------------------------|------------------------|
| 106 | 1  | <u>Cindy Gonzalez</u><br>Name      | <u>9405 Leadbrick St</u><br>Address    | <u>89143</u><br>Zip Code | <u>227-1202</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 107 | 2  | <u>Cindy Rutshaw</u><br>Name       | <u>9045 Patinagem</u><br>Address       | <u>89143</u><br>Zip Code | <u>870-9772</u><br>Telephone Number | <u>4-14-06</u><br>Date |
|     | 3  | <u>Michael Raimonte</u><br>Name    | <u>9045 Patinagem</u><br>Address       | <u>89143</u><br>Zip Code | <u>870-9772</u><br>Telephone Number | <u>4-14-06</u><br>Date |
| 108 | 4  | <u>Dominic Terrocciano</u><br>Name | <u>9012 Zinkmischel</u><br>Address     | <u>89143</u><br>Zip Code | <u>655-1168</u><br>Telephone Number | <u>4-14-06</u><br>Date |
| 109 | 5  | <u>Michael Fletcher</u><br>Name    | <u>9038 Barium Rock Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>646-6747</u><br>Telephone Number | <u>4-14-06</u><br>Date |
| 110 | 6  | <u>Margarita Gonzalez</u><br>Name  | <u>9053 Barium Rock Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>839-4484</u><br>Telephone Number | <u>4-14-06</u><br>Date |
| 111 | 7  | <u>Cheryl Citan</u><br>Name        | <u>9037 Barium Rock Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>396-8446</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 112 | 8  | <u>Meaghan Peterson</u><br>Name    | <u>9037 Barium Rock Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>390-8446</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 113 | 9  | <u>Jamie Berfield</u><br>Name      | <u>9209 Brilliant Ore</u><br>Address   | <u>89143</u><br>Zip Code | <u>320-5208</u><br>Telephone Number | <u>4/14/06</u><br>Date |
| 114 | 10 | <u>Laurianne Weber</u><br>Name     | <u>9009 Barium Rock Ave</u><br>Address | <u>89143</u><br>Zip Code | <u>809-2440</u><br>Telephone Number | <u>4/14/06</u><br>Date |

# Petition

# Petition

# Petition

115 1 SHAWN VANESA  
Name

8909 BARIUM ROCK AVE  
Address

89143  
Zip Code

702313-1978  
Telephone Number

4-15-06  
Date

116 2 [Signature]  
Name

9300 Empire Rock St  
Address

89143  
Zip Code

702-395-2180 4-13-06  
Telephone Number Date

117 3 Freddie Talledo / Name  
Name

9304 Empire Rock St  
Address

89143  
Zip Code

228-5635  
Telephone Number

4/15/06  
Date

118 4 FREDIE TALLEDO  
Name

9105 DAME AVE  
Address

89143  
Zip Code

646 3279  
Telephone Number

4-15-06  
Date

119 5 Angie Corral  
Name

9308 Empire Rock  
Address

89143  
Zip Code

858-6921  
Telephone Number

4-15-06  
Date

120 6 Maribel Espinoza  
Name

9316 Empire Rock St.  
Address

89143  
Zip Code

396-0770  
Telephone Number

4-15-06  
Date

121 7 [Signature]  
Name

9500 Empire Rock St.  
Address

89143  
Zip Code

702 314 1763  
Telephone Number

4-15-06  
Date

122 8 [Signature]  
Name

8808 Glenview Ave  
Address

89143  
Zip Code

702-254-5806  
Telephone Number

4/15/06  
Date

123 9 [Signature]  
Name

9301 Harrow Rock St.  
Address

89143  
Zip Code

839 2207  
Telephone Number

4/15/06  
Date

123 10 Dale Scott  
Name

9301 Harrow Rock St.  
Address

89143  
Zip Code

839 2207  
Telephone Number

4/15/06  
Date



Petition

Petition

Petition

124 <sup>1</sup> L. Rim  
Name

125 <sup>2</sup> Bobby Vuolas  
Name

<sup>3</sup> Robin Vuolas  
Name

126 <sup>4</sup> Heather Grounman  
Name

127 <sup>5</sup> Melissa Monahan  
Name

128 <sup>6</sup> Laura M. Martin  
Name

129 <sup>7</sup> William J. John  
Name

130 <sup>8</sup> Jose M. Pedro  
Name

<sup>9</sup> John Pedro  
Name

131 <sup>10</sup> Mindi Young  
Name

9028 Blue Raven Av.  
Address

9032 Blue Raven Ave  
Address

9032 Blue Raven Ave.  
Address

9056 Blue Raven Ave  
Address

9049 White Eyes Ave.  
Address

9045 White Eyes Av  
Address

9025 White Eyes Ave  
Address

9719 Red Deer St.  
Address

9719 Red Deer St  
Address

9819 Red Deer St  
Address

89143  
Zip Code

89143  
Zip Code

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Zip Code

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Zip Code

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Zip Code

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Zip Code

89143  
Zip Code

89143  
Zip Code

89143  
Zip Code

89143  
Zip Code

656-1231  
Telephone Number

656-1990  
Telephone Number

656-1990  
Telephone Number

839-0961  
Telephone Number

515-0992  
Telephone Number

595-2746  
Telephone Number

655-5234  
Telephone Number

645-7821  
Telephone Number

645-7821  
Telephone Number

304-0981  
Telephone Number

4-14-06  
Date

4-14-06  
Date

4-14-06  
Date

4-14-06  
Date

4-15-06  
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4/14/06  
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Date

4-14-06  
Date

4-14-06  
Date

4-14-06  
Date

May 25 06 09:47a

Kelly & Sullivan

702-385-7282

P.21

Petition

Petition

Petition

|     |    |                          |                         |          |                  |         |
|-----|----|--------------------------|-------------------------|----------|------------------|---------|
| 132 | 1  | Mary Kelley Murphy       | 9025 Black Elk          | 89143    | 8968897          | 4-14-06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 133 | 2  | Ronald D. Paulgala       | 9021 Black Elk          | 89143    | 3960227          | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 134 | 3  | Mike Dennis              | 9837 Running Rabbit     | 89143    | 365-1717         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 135 | 4  | David Ware               | 9831 Running Rabbit     | 89143    | 2270680          | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 136 | 5  | John R. Smith            | 9812 Running Rabbit     | 89143    | 656-2041         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 137 | 6  | Janice Shultz            | 9813 Running Rabbit St. | 89143    | 247-9162         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 138 | 7  | Tina Alep                | 9700 Running Rabbit St. | 89143    | 630-1694         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 139 | 8  | <del>John R. Smith</del> | 9624 Running Rabbit St. | 89143    | 656-770          | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
| 140 | 9  | Paul Fletcher            | 9612 Running Rabbit St. | 89143    | 258-2877         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |
|     | 10 | Robert Fletcher          | 9612 Running Rabbit St. | 89143    | 258-2822         | 4/14/06 |
|     |    | Name                     | Address                 | Zip Code | Telephone Number | Date    |

MAY 25 06 09:47a

Kelly & Sullivan

702-385-7282

P.22

## Petition

## Petition

## Petition

|     |    |                     |                   |          |                  |         |
|-----|----|---------------------|-------------------|----------|------------------|---------|
| 141 | 1  | FEHSA PR-FTi        | 9041 BLUE RAVEN   | 89143    | 252-0259         | 4-14-06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 142 | 2  | Dawn Davidson       | 9048 Blue Raven   | 89143    | 648-2297         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 143 | 3  | Jennifer LaFountain | 9052 Blue Raven   | 89143    | 395-9486         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 144 | 4  | Elaine Gibaldi      | 9712 Red Deer St. | 89143    | 360-3069         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 144 | 5  | Norma Kerr          | 9712 Red Deer St  | 89143    | 360-3069         | 4-14-06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 145 | 6  | Diane Tucker        | 9812 Red Deer at  | 89143    | 655-2170         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 145 | 7  | Dou Tucker          | 9812 Red Deer St. | 89143    | 655-2170         | 4-14-06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 144 | 8  | Kristi Weidner      | 9853 Red Deer St. | 89143    | 241-1675         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 147 | 9  | Presley Dumas       | 9028 Black Elk    | 89143    | 365-9883         | 4-14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |
| 149 | 10 | MELYN WILCOCK       | 9021 BLACK ELK    | 89143    | 396-0227         | 4/14/06 |
|     |    | Name                | Address           | Zip Code | Telephone Number | Date    |

May 25 06 09:47a

Kelly &amp; Sullivan

702-385-7282

P.23



Petition

Petition

Petition

149 <sup>1</sup> Wendy Feiner  
Name

98310 running rabbit  
Address

89143  
Zip Code

655-5966  
Telephone Number

4/12/06  
Date

150 <sup>2</sup> Twila Taylor  
Name

9818 Running Rabbit  
Address

89143  
Zip Code

656-2282  
Telephone Number

4/12/06  
Date

151 <sup>3</sup> Karena Larson  
Name

9806 Running Rabbit  
Address

89143  
Zip Code

631-1651  
Telephone Number

4/13/06  
Date

151 <sup>4</sup> Timothy Larson  
Name

9806 Running Rabbit  
Address

89143  
Zip Code

631-1651  
Telephone Number

4/13/06  
Date

152 <sup>5</sup> Robert Smith  
Name

9800 Running Rabbit  
Address

89143  
Zip Code

437-4507  
Telephone Number

4-14-06  
Date

153 <sup>6</sup> Joe Cumbo  
Name

9718 Running Rabbit  
Address

89143  
Zip Code

396-1703  
Telephone Number

4-14-06  
Date

153 <sup>7</sup> Anita Kelly  
Name

9718 Running Rabbit  
Address

89143  
Zip Code

396-1703  
Telephone Number

4-14-06  
Date

154 <sup>8</sup> Patricia Legat  
Name

9624 Running Rabbit  
Address

89143  
Zip Code

456-7770  
Telephone Number

4-14-06  
Date

155 <sup>9</sup> Elise Trett  
Name

9009 Blue Raven Ave  
Address

89143  
Zip Code

656-3213  
Telephone Number

4-14-06  
Date

156 <sup>10</sup> [Signature]  
Name

9837 Blue Raven Ave  
Address

89143  
Zip Code

526-0198  
Telephone Number

4/14/06  
Date

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

---

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

GENERAL PLAN AMENDMENT

GPA-12846 - PUBLIC HEARING - APPLICANT/OWNER: CITY OF LAS VEGAS - Request for a General Plan Amendment to amend Map 11 of the Centennial Hills Sector Plan TO REVISE LOCATIONS OF AN APPROVED SUBSTATION AND TO DELETE PROPOSED SUBSTATION AND POWER LINES (APN multiple), Ward 6 (Ross). NOTE: THIS APPLICATION AMENDS SUBSTATIONS AND POWER LINES, EXISTING AND PROPOSED FROM MOCCASIN ROAD TO CHEYENNE AVENUE AND PULI ROAD TO DECATUR BOULEVARD. The Planning Commission (7-0 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application - Not Applicable
3. Staff Report
4. Justification Letter
5. Backup referenced from the 05/25/06 Planning Commission meeting Item 10

**MOTIONS:**

**ROSS - APPROVED - UNANIMOUS**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open.

MARGO WHEELER, Director of Planning and Development Department, explained this application is an update to the General Plan regarding the location of the substation in northwest Las Vegas.

No one appeared in opposition.

MAYOR GOODMAN declared the Public Hearing closed.

(2:14 - 2:15)

3-1607

# CURRENT

## MAP ELEVEN City of Las Vegas CENTENNIAL HILLS SECTOR

Existing and Approved  
Power Lines

-  Existing Power Lines
-  Existing Substations
-  Proposed Power Lines
-  Proposed Substations

**GPA-12846  
REVISED  
05/25/06 PC**

Adopted December 18, 1996 Bill Number 96-109

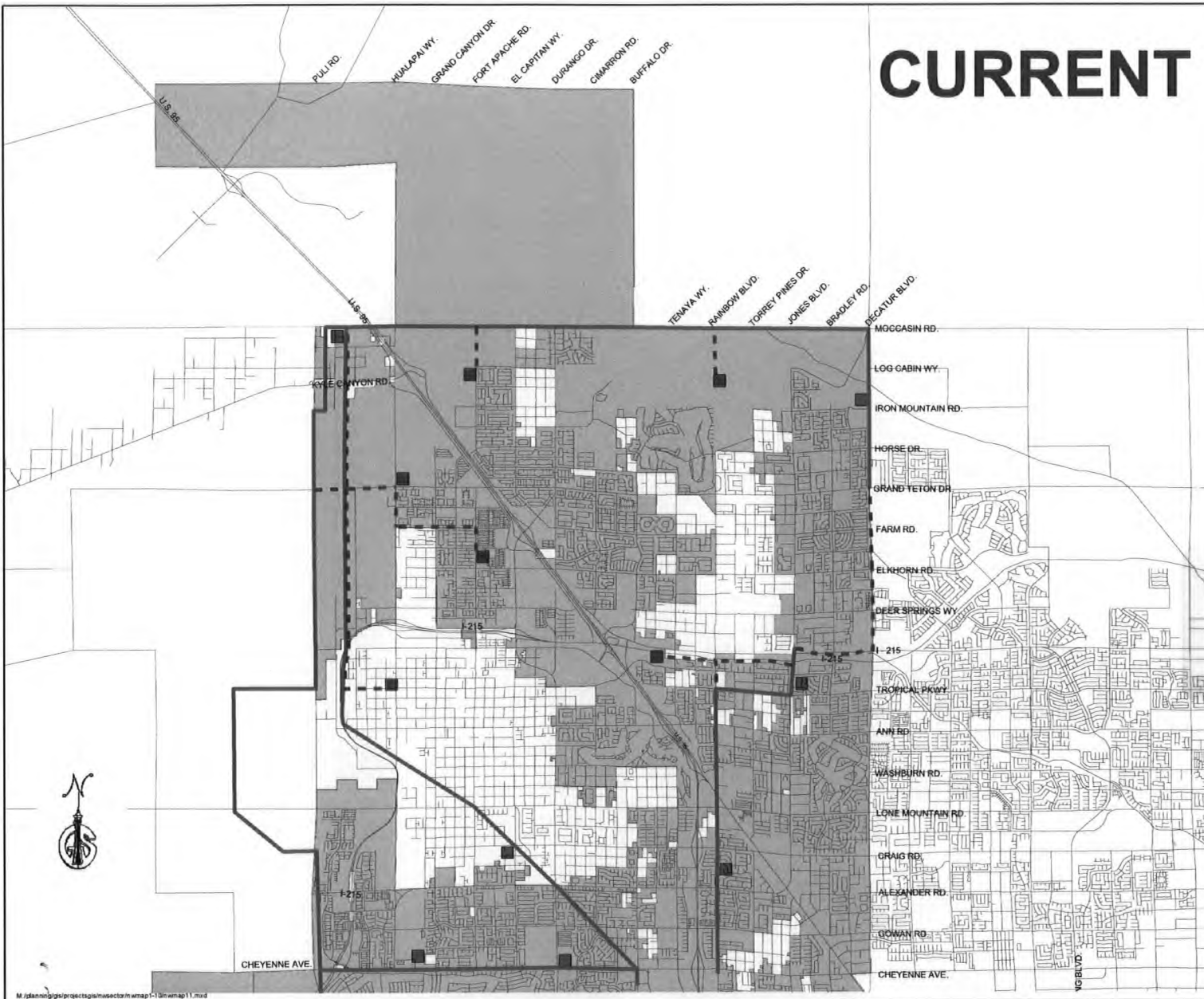
Revised May 24, 1999 GPA-01-99  
Revised February 19, 2003 GPA-1392  
Revised May 19, 2004 GPA-4044

Source: Nevada Power Company as of May 26, 2004

Plotted: September 9, 2004



GIS maps are normally produced  
only to meet the needs of this City.  
Due to continuous development activity  
this map is for reference only.  
Geographic Information System  
Planning & Development Dept.  
702-725-6301



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**PROPOSED  
MAP ELEVEN  
City of Las Vegas  
CENTENNIAL HILLS  
SECTOR**

Existing and Approved  
Power Lines

Existing Power Lines

Existing Substations

Proposed Power Lines

Proposed Substations

Revisions

**GPA-12846  
REVISED  
05/25/06 PC**

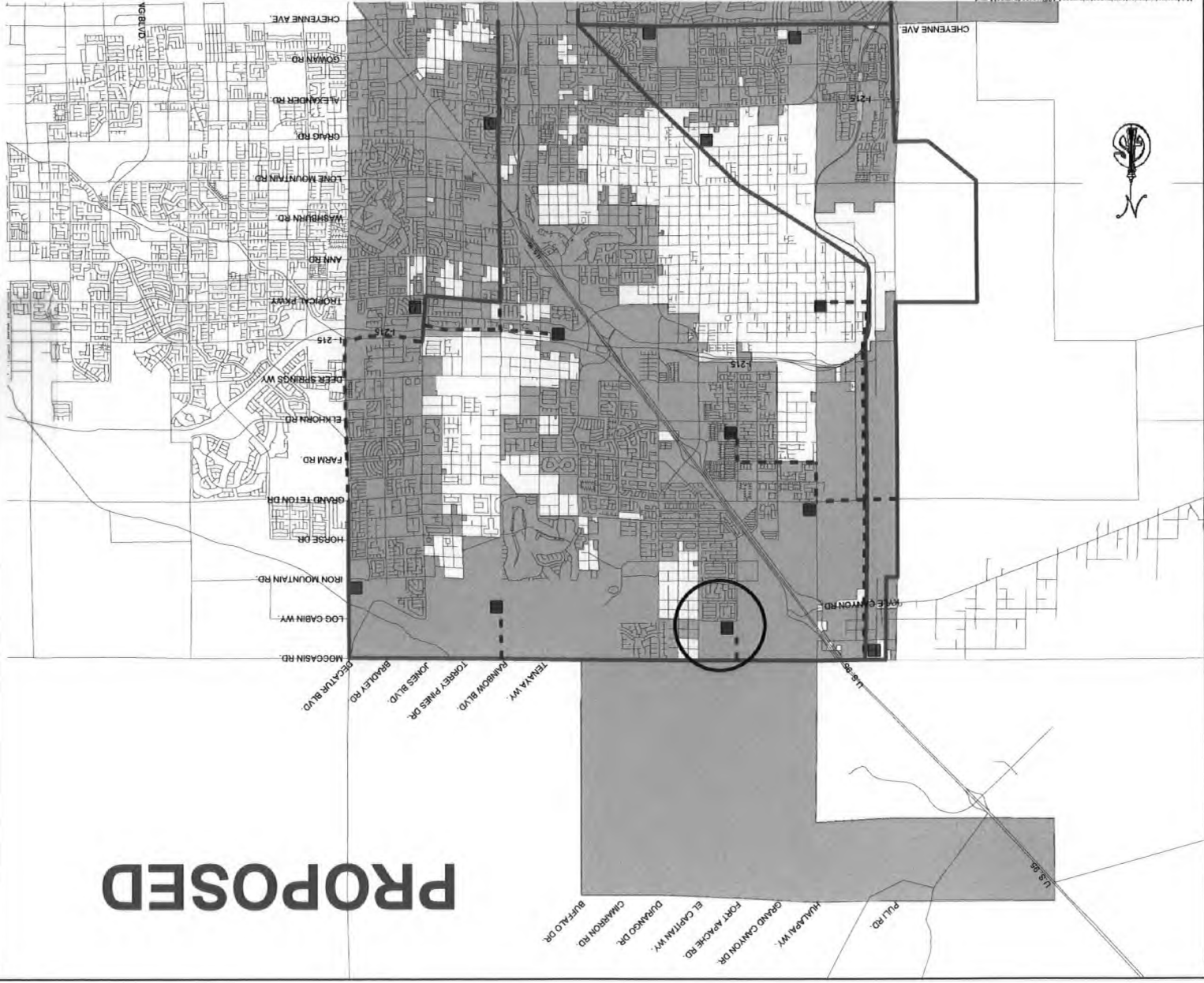
Adopted December 18, 1996 Bill Number 96-109  
Revised May 24, 1999 GPA-01-99  
Revised February 19, 2003 GPA-1392  
Revised May 19, 2004 GPA-4044  
Source: Nevada Power Company as of May 26, 2004  
Plotted: April 05, 2006



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only to meet the needs of the City.  
Due to continuous development activity  
this map is for reference only.  
Planning & Development Dept.  
702-258-3001



**PROPOSED**





**PROPOSED  
MAP ELEVEN  
City of Las Vegas  
CENTENNIAL HILLS  
SECTOR**

Existing , Approved & Proposed  
Power Lines

-  Existing Power Lines
-  Existing Substations
-  Approved Power Lines
-  Approved Substations
-  Proposed Power Lines
-  Proposed Substations

Adopted December 18, 1996 Bill Number 96-109

Revised May 24, 1999 GPA-01-99  
Revised February 19, 2003 GPA-1392  
Revised May 19, 2004 GPA-4044

Source: Nevada Power Company as of May 26, 2004

Plotted: April 05, 2006



GIS maps are normally produced  
only to meet the needs of the City.  
Due to continuous development activity  
this map is for reference only.  
Geographic Information System  
Planning & Development Dept.  
702-228-6871



**GPA-12846  
04/27/06 PC**

*City of Las Vegas*

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: GPA-12846 - APPLICANT/OWNER: CITY OF LAS VEGAS**

---

**\*\* CONDITIONS \*\***

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



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This application seeks to amend Map 11 of the Centennial Hills Sector Plan to amend the location of an approved electrical substation.

**EXECUTIVE SUMMARY**

This application seeks to change the location of an approved substation from the southwest corner of Fort Apache Road and Log Cabin Way to the northeast corner of Fort Apache Road and Log Cabin Way.

**BACKGROUND DATA:**

- |          |                                                                                                                                                                                                                                                                                                                      |
|----------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 03/12/92 | The Planning Commission approved the three Land Use Sector Maps of the General Plan.                                                                                                                                                                                                                                 |
| 12/18/96 | The City Council adopted the Northwest General Plan Amendment to the City of Las Vegas General Plan, which was later amended on December 5, 1997. This plan had an electrical services subchapter entitled "Electrical Distribution."                                                                                |
| 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.                                                                                                                                                                |
| 12/15/99 | The City Council approved a request to amend the Northwest Sector Plan to add Subchapter 11, Electrical Power Distribution, as a new subchapter in the Northwest Sector Plan (GPA-35-99).                                                                                                                            |
| 04/19/00 | The City Council approved the Required Review to amend a portion of Map 11, "Existing and Proposed Power Lines", and the text of Section 6.11 of the Northwest Sector Plan to relocate the substation planned within the southern portion of Town Center to near Tenaya Way and the northern beltway (GPA-35-99[1]). |
| 09/06/00 | The City Council approved the Las Vegas 2020 Master Plan.                                                                                                                                                                                                                                                            |
| 02/19/03 | The City Council approved a request to amend the Centennial Hills Sector Plan by adding the 2002 Interlocal Land Use Plan. This amendment included a map, which detailed existing and proposed locations for power substations and power line corridors (GPA-1392).                                                  |

- 05/19/04      The City Council approved a request to amend the Centennial Hills Sector Plan by relocating the proposed power line corridor from the Farm Road alignment between Puli Drive and Hualapai Way to the North Side of Grand Teton between Puli Drive and Hualapai Way and the east side of Hualapai Way between Farm Road and Grand Teton Drive.
- 05/25/06      The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #10/rl).

### **DETAILS OF APPLICATION REQUEST**

Site Area:              A portion of a site that totals 160 acres. Companion GPA-12271 addresses the land use of the parcel in its entirety.

#### **EXISTING LAND USE**

|                  |                         |
|------------------|-------------------------|
| Subject Property | Vacant                  |
| North            | Vacant                  |
| South            | Single Family Dwellings |
| East             | Single Family Dwellings |
|                  | Vacant                  |
| West             | Vacant                  |

#### **PLANNED LAND USE**

|                  |                                            |
|------------------|--------------------------------------------|
| Subject Property | PCD (Planned Community Development)        |
| North            | RC (Resource Conservation)                 |
| South            | PCD (Planned Community Development)        |
| East             | PCD (Planned Community Development)        |
|                  | RNP (Rural Neighborhood Preservation)      |
| West             | TND (Traditional Neighborhood Development) |

#### **EXISTING ZONING**

|                  |                                                            |
|------------------|------------------------------------------------------------|
| Subject Property | R-E (Residence Estates)                                    |
| North            | U (Undeveloped)                                            |
| South            | R-PD3 (Residential Planned Development – 3 Units Per Acre) |
|                  | R-PD6 (Residential Planned Development – 6 Units Per Acre) |
| East             | R-E (Residence Estates)                                    |
|                  | Unincorporated Clark County                                |
| West             | U (Undeveloped)                                            |

| <b><i>SPECIAL DISTRICTS/ZONES</i></b>      | <b>YES</b> | <b>NO</b> |
|--------------------------------------------|------------|-----------|
| SPECIAL PLAN AREA                          |            | X         |
| RURAL PRESERVATION OVERLAY DISTRICT        |            | X         |
| RURAL PRESERVATION OVERLAY DISTRICT BUFFER | X          |           |
| PROJECT OF REGIONAL SIGNIFICANCE           |            | X         |

| <b><i>EXISTING<br/>GENERAL PLAN<br/>DESIGNATION</i></b> | <b><i>PERMITTED<br/>DENSITY</i></b> | <b><i>PROPOSED<br/>GENERAL PLAN<br/>DESIGNATION</i></b> | <b><i>PERMITTED<br/>DENSITY</i></b> |
|---------------------------------------------------------|-------------------------------------|---------------------------------------------------------|-------------------------------------|
| PCD                                                     | 2 – 8. du/ac                        | PR-OS, PF, R,L and<br>ML                                | 3.6 – 8.49 du/ac                    |

## **DEFINITIONS**

***RNP (Rural Neighborhood Preservation)*** (Zero to 2.0 units per acre). The predominant residential lifestyle of these areas is single-family homes on large lots, many including equestrian facilities. This is generally a rural environment that permits greater privacy and some non-commercial raising of domestic animals.

In accordance with an interlocal agreement signed January 2, 2002, the City and Clark County designate those areas recognized for the above-described lifestyle as Rural Neighborhood Preservation areas. These areas are shown on Map 3 of the Centennial Hills Sector Plan. The Interlocal describes areas within the Centennial Hills Sector as “Excepted Areas”. The Excepted Areas” are those that will be annexed in to the City only by request of the individual property owners. Map 3 shows a boundary that encompasses those parcels that are within the “Excepted Areas” of the Interlocal and represents the limits of the Rural Neighborhood Preservation neighborhoods.

Parcels in the excepted areas at the time of the signing of the Interlocal shall remain Rural Neighborhood Preservation areas whether the parcels annex into the city or not.

***R (Rural Density Residential)*** (up to 3.59 units/Gross acre.) This category is a rural or semi-rural environment with a lifestyle much like that of Desert Rural, but with a smaller allowable lot size

***L (Low Density Residential)*** (3.6 to 5.49 units/gross acre.) This category permits single-family detached homes, manufactured homes on individual lots, gardening, residential planned developments, and planned community developments. Local supporting uses such as parks, other recreation facilities, schools, and churches are allowed in this category.

***ML (Medium Low Density Residential)*** (5.6 to 8.49 units/per gross acre.) This density range permits single-family compact lots and zero lot lines, manufactured home parks, and residential planned development. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category.



**PCD (Planned Community Development)**(2 to 8 units/gross acre.) The Planned Community Development category allows for a mix of residential uses that maintain an average overall density ranging from 2 to 8 units per gross acre, depending upon compatibility with adjacent uses (e.g. a density of 2 units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD (Planned Community Development).

Projects in undeveloped areas that are greater than 80 acres in size require a master plan PD (Planned Development) zoning. Projects less than 80 acres in size are not allowed within the PCD (Planned Community Development); however, infill projects may receive a waiver from this requirement.

Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

**PR-OS (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.

**PF (Public Facilities)** This category allows large governmental building sites, complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, schools, and other uses considered public or quasi-public such as libraries, clubs and public utility facilities.

**RC (Resource Conservation)** The Resource Conservation land use designation identifies those lands that are not intended to be developed within the time frame of this plan. These lands include the Red Rock Preservation Area and Paiute Indian Community. Properties involved with mineral extraction may also be so designated as Resource Conservation.

**ROW (Right-of-Way)** A ROW is a strip of land acquired by reservation, dedication, forced dedication, prescription, or condemnation and intended to be occupied by a road, crosswalk, railroad, electric transmission lines, oil or gas pipeline, water line, sanitary storm sewer or other public utility or facility.

## **INTERAGENCY ISSUES**

### ***RURAL PRESERVATION OVERLAY DISTRICT***

A portion of the site is within an area identified as a buffer for a Rural Preservation Overlay District. Title 19.06.150 of the Las Vegas Municipal Code stipulates the identification of a 330-foot transitional buffer around Rural Preservation Overlay District. Within these buffer areas,

residential development density must maintain the rural character of the area. Land is disqualified from status as a Rural Preservation Neighborhood, or as a required buffer, if it is closer than 330 feet to a road greater than 99 feet in width. In the case of this application, the portion of the site that is within the Rural Neighborhood Preservation buffer has a proposed general plan designation of PR-OS (Parks/Recreation/Open Spaces) and R (Rural Density Residential – up to 3.49 units per acre.) Both categories will allow for development that conforms to the Rural Preservation requirements.

### **ANALYSIS**

The current location of the proposed substation on the southwest corner of Fort Apache Road and Log Cabin Way is immediately adjacent to existing residential development. By moving the proposed site to the northeast corner, the substation will be located on the corner of a BLM site upon which the city of Las Vegas has a BLM reservation for recreation or public purposes. As such, the new substation site will be adjacent to a fire station to the east and single family homes to the south, and can be appropriately buffered without impacting adjacent residential development.

### **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":

This application will not change the density nor intensity of the general plan and is therefore compatible with existing adjacent land use designations.

In regard to "2":

This application will not change the existing zoning designations.

In regard to "3":

By changing the location of the proposed substation, the electrical needs of the community will continue to be met without the potential for negative impact by placing the substation adjacent to existing residential development.

In regard to "4":

Section 6.5.1 of the Centennial Hills Sector Plan states the location of power lines; and substations is of critical importance to land owners and developers. Provided that the electricity provider conforms to the locations identified in the master plan, no further entitlement permits are required until Nevada Power submits a site development plan review application to the Planning Commission prior to construction. As such, it is of critical importance that the map is accurate and reflective of the communities utility needs. This application conforms to the adopted plans and policies.

#### **GENERAL PLAN AMENDMENT NEIGHBORHOOD MEETING**

Per policy set forth in the city of Las Vegas application packet, a neighborhood meeting shall be held with the surrounding property owners. The applicant is requested to hold this meeting within 14 days of the closing date of this application. This neighborhood meeting was held on Monday, 04/17/06 at 7:15 p.m. at the Cadwallader Community School on 7775 Elkhorn Road. This meeting was for both GPA-12846 as well as GPA-12271.

City representatives attending the meeting included Tom Perrigo, Planning & Development; Orlando Sanchez, Neighborhood Services; James Lewis, City Attorney's Office; Mike Jannsen, Public Works; and Adrienne Low Joly, Planning & Development. Staff explained that the substation would be moved from the southwest corner to the northeast corner of Fort Apache and Log Cabin, that the substation would be built similarly to the current substation located at Jones Blvd. and the 215 Beltway, and that it would be enclosed in a 14-foot decorative wall surrounded by landscaping. Staff further explained that the change in location would eliminate the need to carry overhead power lines through their neighborhood.

#### **Comments**

Most of the neighbor's comments concerned GPA-12271, and more specifically were about the proposed apartment project therein. Comments relevant to the substation are as follow:

- Can there be another alternative?
- What is the timeline for any of the projects? When will something be built?



After this meeting, it was decided to abey the request from the April 27th Planning Commission meeting to the May 25<sup>th</sup> meeting. A postcard concerning the abeyance was sent to every property owner within the notification radius. Additionally, phone calls were placed to everyone who attended the April 17<sup>th</sup> neighborhood meeting to inform them of the abeyance request.

## **SECOND NEIGHBORHOOD MEETING**

A second meeting was held on 05/15/06 at Cadwallader Community School at 7:30 p.m. Approximately 109 people signed-in at the meeting. This meeting also combined discussion on GPA-12846 and GPA-12271. Before this neighborhood meeting, the Elk Ridge Homeowners association had contacted staff and requested that the land to the north of their subdivision be changed from a PR-OS (Parks/Recreation/Open Space) land use category to L (Low Density Residential.) The homeowner's association feels that single-family homes would be a more effective buffer between their homes and the substation, as well as the proposed PF (Public Facilities) land that the Clark County School District has reserved for a high school. Staff presented this additional revision at this neighborhood meeting.

After the presentation, staff fielded questions from the audience. Most comments regarded the apartments proposed in GPA-12271, however several comments were pertinent to the proposed substation.

### **Comments**

- Would you want this near your homes?
- Why is the power substation being moved to the east side of Fort Apache Road.
- What are the traffic impacts of the proposal?
- Has there been a study about how this proposal will impact our property values?

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 5

**ASSEMBLY DISTRICT** 13

**SENATE DISTRICT** 9

**NOTICES MAILED** 341 by Planning Department

**APPROVALS** 0

**PROTESTS** 1



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-12846** APN: \_\_\_\_\_

Name of Property Owner: City of Las Vegas

Name of Applicant: City of Las Vegas

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

☐ Yes

☒ No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

Signature of Property Owner: [Signature]

Print Name: Robert Levent

Subscribed and sworn before me

This 5<sup>TH</sup> day of April, 2006  
[Signature]  
Notary Public in and for said County and State



May 23, 2006  
731 S. 4<sup>th</sup> Street  
Las Vegas, NV 89101

RE: GPA-12846

To Mr. Leobold:

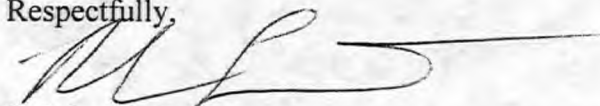
Please accept this letter as justification for a General Plan to amend Map 11 of the Centennial Hills Sector Plan to amend the location of an approved substation and to delete one proposed substation and three proposed power lines.

This General Plan Amendment is a product of a detailed evaluation of the current and projected needs of Nevada Power's energy distribution grid, and would produce the following change:

- Change the location of an approved substation from the southwest corner of Fort Apache Road and Log Cabin Way to the northeast corner of Fort Apache Road and Log Cabin Way.

Please feel free to contact me at 229-6539 with any questions.

Respectfully,



Rob Levrant  
Planner I  
City of Las Vegas

**GPA-12846  
REVISED  
05/25/06 PC**



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

## Carman Burney

---

**From:** Adrienne Low  
**Sent:** Monday, May 15, 2006 1:31 PM  
**To:** Carman Burney  
**Subject:** FW: GPA-12271 and GPA-12846

Protest

---

**From:** Cjrosales5@aol.com [mailto:Cjrosales5@aol.com]  
**Sent:** Saturday, May 13, 2006 9:45 AM  
**To:** alow@lasvegasnevada.gov  
**Subject:** GPA-12271 and GPA-12846

Adrienne Joly:

I am sending my strong objection to proposal GPA-12271 and GPA-12846, planned for the 160 acres adjacent to the northeast corner of Fort Apache Road and Log Cabin Way. Building lower Income Housing and a High School in our area will decrease our present housing value. It will also make the area congested, creating a massive traffic problem along El Capitan and the surrounding road ways.

I hope the city will reconsider the plan and build this project elsewhere. I have worked hard and chose to invest my money into a house, in a quiet environment for retirement. Now because of this proposed development, I stand to lose money on what I have worked so long and hard to achieve.

I ask that this plan be reconsidered for another location.

Sincerely yours,

Cesar & Cecilia Rosales  
8917 Arabian Filly Avenue  
Las Vegas, NV 89143

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**MAJOR MODIFICATION**

MOD-11027 - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC - Request for a Major Modification to the Lone Mountain West Master Development Plan TO AMEND SECTIONS 2.3.3, 6.1(a), AND 6.3.1(a) TO ALLOW THREE-STORY BUILDINGS AND ATTACHED SINGLE-FAMILY UNITS IN THE L (LOW DENSITY) SPECIAL LAND USE DESIGNATION, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="8"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Curran and Parry
6. Backup referenced from the 05/25/06 Planning Commission meeting Item 15

**MOTIONS:**

**REESE - HOLD IN ABEYANCE** Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and **STRIKE** Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - **UNANIMOUS**

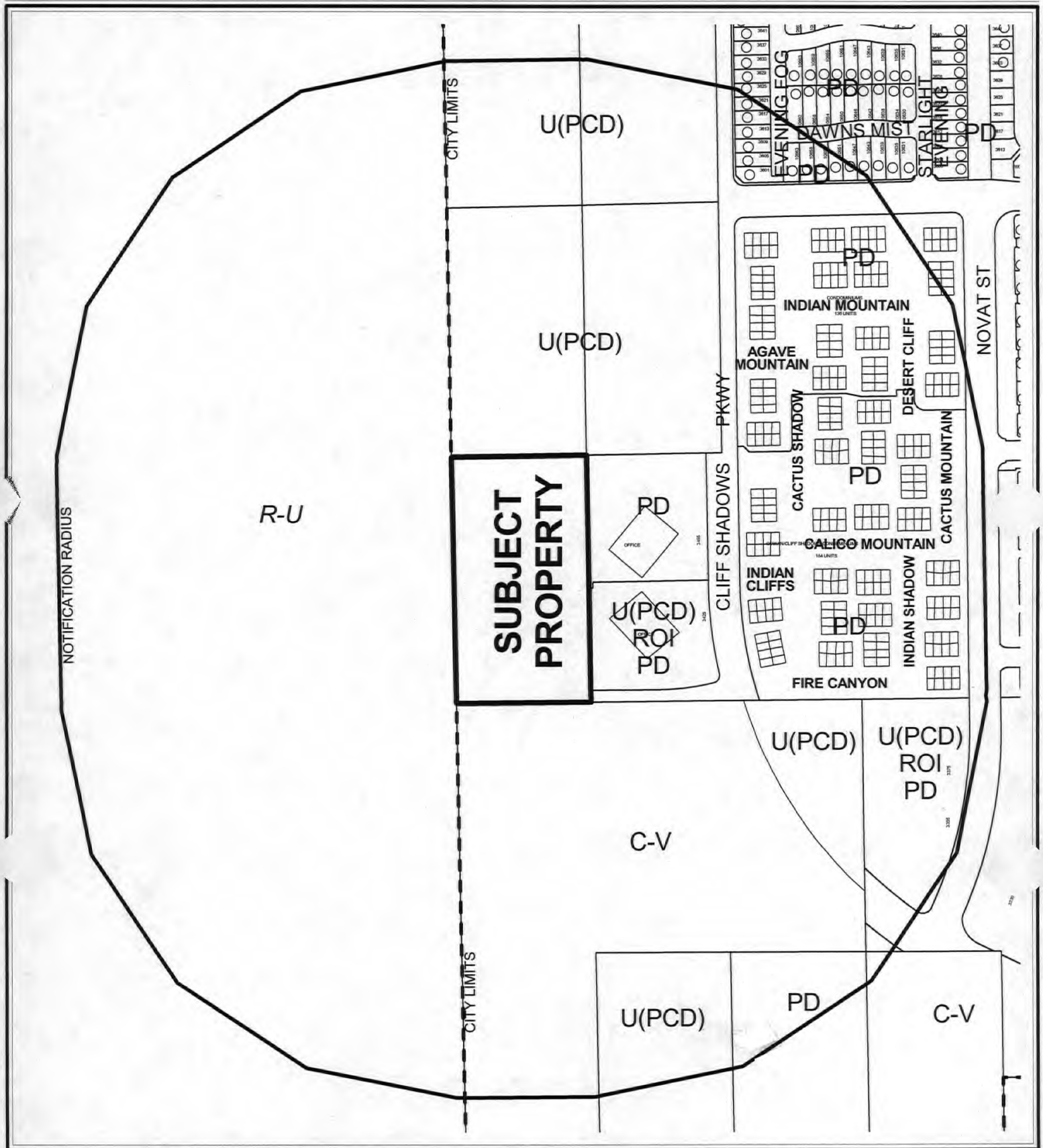
**MINUTES:**

There was no discussion.

(1:28 - 1:30)

3-15





**CASE: MOD-11027**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

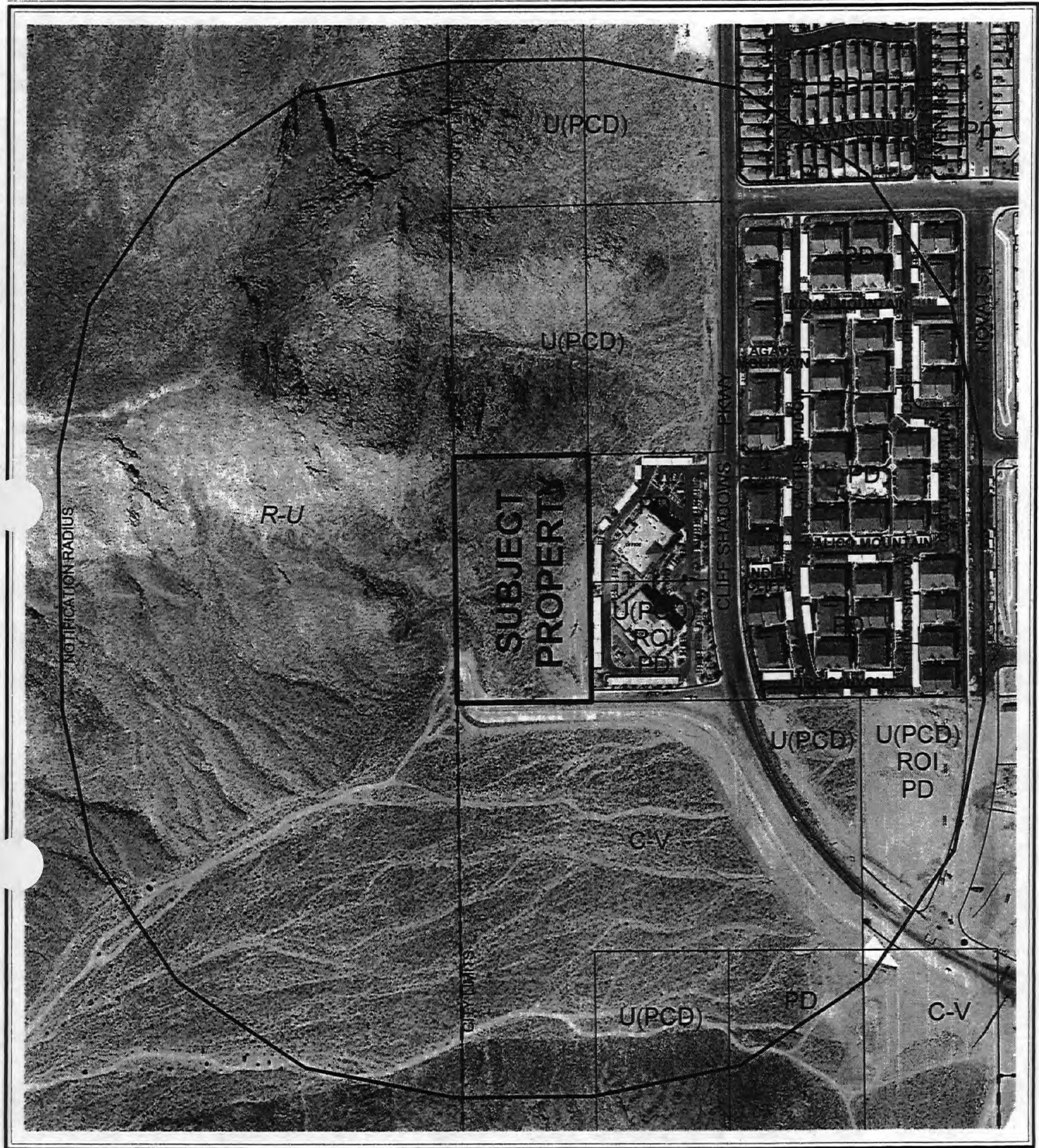
U (UNDEVELOPED) ZONE [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION]

**PROPOSED ZONING OF SUBJECT PROPERTY:**

PD (PLANNED DEVELOPMENT)

0 500 1000 Feet





**CASE: MOD-11027**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

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

**PROPOSED ZONING OF SUBJECT PROPERTY:**

PD (PLANNED DEVELOPMENT)

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: MOD-11027 - APPLICANT: ERIC MILLER - OWNER:  
CABALLOS DE ORO ESTATES, LLC**

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**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Applications for a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034), approved by the City of Las Vegas prior to issuance of any permits, any site grading, and all development activity for the site.
2. Conformance to the Lone Mountain West Master Development Plan, except as amended by this request.
3. The attached Sections 2.3.3, 6.1(a), and 6.3.1(a) shall replace these current Sections of the Lone Mountain West Master Development Plan.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Major Modification to the Lone Mountain West Master Development Plan to amend sections 2.3.3, 6.1(a), and 6.3.1(a) to allow three-story buildings and attached single-family product types in the L (Low Density Residential) special land use designation. Companion requests for a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) have been submitted concurrently.

**EXECUTIVE SUMMARY**

The applicant intends to build 30 attached single-family townhome-style units developed with a common parking access area and common facilities such as an outdoor pool and a clubhouse, on a site within the Plan area that is currently designated as L (Low Density Residential). The applicant intends to develop this project on a site that is severely topographically constrained, and develop this project within the allowed density for this area; however, since only approximately half of the site is developable, the applicant is seeking relief from the Plan limit of two stories on the site, in order to produce workable units as part of an integrated project. The applicant also requires relief from maximum building height limits.

The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms, and the remaining sites within the Plan area currently designated as L also face some topographic relief issues.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 11/02/05      The City Council approved a request for a Major Modification (MOD-8637) to the Lone Mountain West Master Development Plan to amend the following: amend Section 2.3.4 "Medium-Low Density Residential" to allow three-story dwellings; amend Tables 2, 3 and 4 to reflect proposed changes in land use designations; and to change the land use designation from MFM (Multi-Family Medium Residential) to ML (Medium-Low Density Residential) on 30.0 acres adjacent to the southwest corner of Alexander Road the I-215 Beltway. The Planning Commission and staff recommended approval on 10/06/05.
- 05/25/06      The Planning Commission recommended approval of companion items ZON-11031, WVR-12368, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.

05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #15/gl).

***B) Pre-Application Meeting***

11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

***C) Neighborhood Meetings***

02/02/05 The applicant sponsored a neighborhood meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

**DETAILS OF APPLICATION REQUEST**

This Major Modification will amend Sections 2.3.3, 6.1(a), and 6.3.1(a) of the Lone Mountain West Master Development Plan, by deleting these paragraphs and replacing them with the following:

### **"2.3.3. Low Density Residential**

The Low Density Residential category provides for the development of up to 6 units per gross acre. This category allows for attached and detached single-family product types, including compact lots and zero lot line units, and ~~two~~ three-story buildings."

### **6.1. Definitions**

#### **(a) Low Density Residential**

For the purpose of these Standards, Low Density Residential shall consist of a variety of attached and detached single-family homes with attached or detached garages and a density of no greater than six (6) dwelling units per acre. These include conventional single-family, attached single-family, patio homes and Z-lot configurations.

#### **6.3.1. Building Massing, Setbacks and Height Requirements**

- (a) The buildings shall have simple forms with combinations of one- and two- story ~~elements~~ building heights. Three-story maximum building heights are also allowed with attached single-family products where there is no demonstrable impact on adjacent existing or approved low-density residential development."

Note: underlined segments are to be added and strikeout sections are to be deleted.

The other paragraphs contained within Sections 2 and 6 shall remain unchanged.

## **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 Master Plan designation of the Lone Mountain West Master Development Plan area is PCD (Planned Community Development). This Master Plan designation defers to the more detailed planning policies found in the special land use designations for the individual master development plan (such as L in the Lone Mountain West MDP), and as a result is unaffected by the requested amendment to the L special land use designation that would occur through this Major Modification to the Lone Mountain West Master Development Plan.

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

The proposed Modification will not have any effect on the uses that are allowed in the L (Low Density Residential) special land use designation; rather, it will allow three-story buildings and attached single-family dwellings where the current policy limits



development to two stories and detached single-family dwellings. As overall height is limited to 35 feet pursuant to Title 19, these changes should be compatible with surrounding land uses and zoning districts.

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

The proposed Major Modification has no effect on zoning, which will be PD (Planned Development) based on approval of companion request ZON-11031. This Modification does not involve rezoning. A proposed 30-unit residential project is proposed as part of a companion Site Development Plan Review, and is predicated on the approval of this Modification. Staff is in support of ensuring that PD (planned Development) zoning is eventually provided throughout Lone Mountain West, as sites so zoned are directly linked to the provisions of the master development plan.

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.”**

This Major Modification is not geographically based, although it could potentially affect any site in Lone Mountain West that is designated as L (Low Density Residential); as a result, this question is not relevant to the request.

**PLANNING COMMISSION ACTION**

There were 4 speakers in opposition at the Planning Commission meeting.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 340 by Planning Department

**APPROVALS** 0

**PROTESTS** 8



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-11027** APN: 137.12.301.009  
Name of Property Owner: CABALLOS DE ORO ESTATES, LLC  
Name of Applicant: ERIC MILLER ARCHITECT

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: \_\_\_\_\_

Print Name: ANDY PHAM

Subscribed and sworn before me

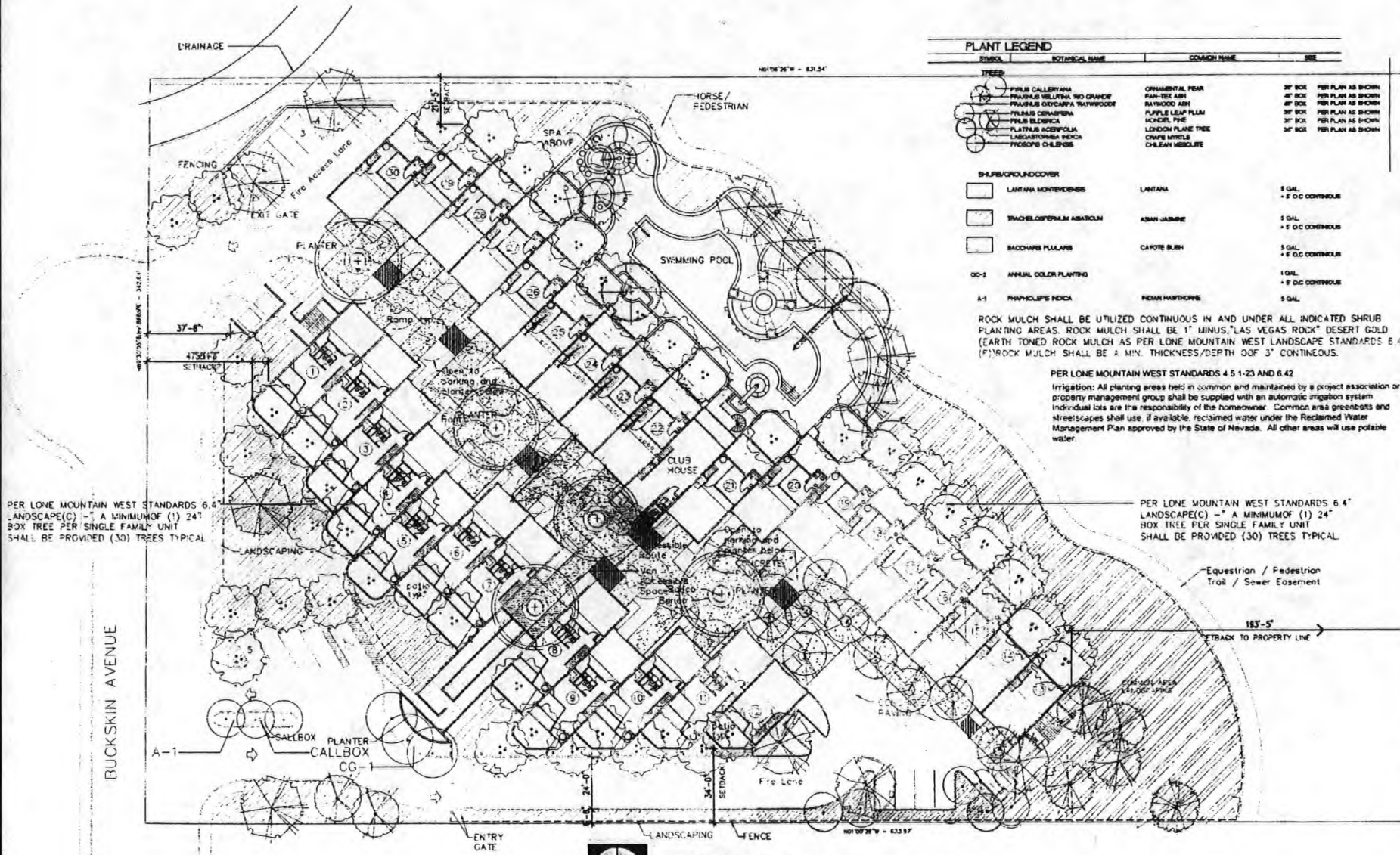
This 15 day of December, 20 05

John W. Stoll  
Notary Public in and for said County and State









**PLAZA LEVEL PLAN**

BACKSHEET/SECTION 05-05  
 PER LONE MOUNTAIN WEST LANDSCAPE STANDARDS 6.4

SCALE: 1"=50'-0"

RECEIVED  
 APR 20 2006

MOD-11027  
 REVISED  
 04/27/06 PC

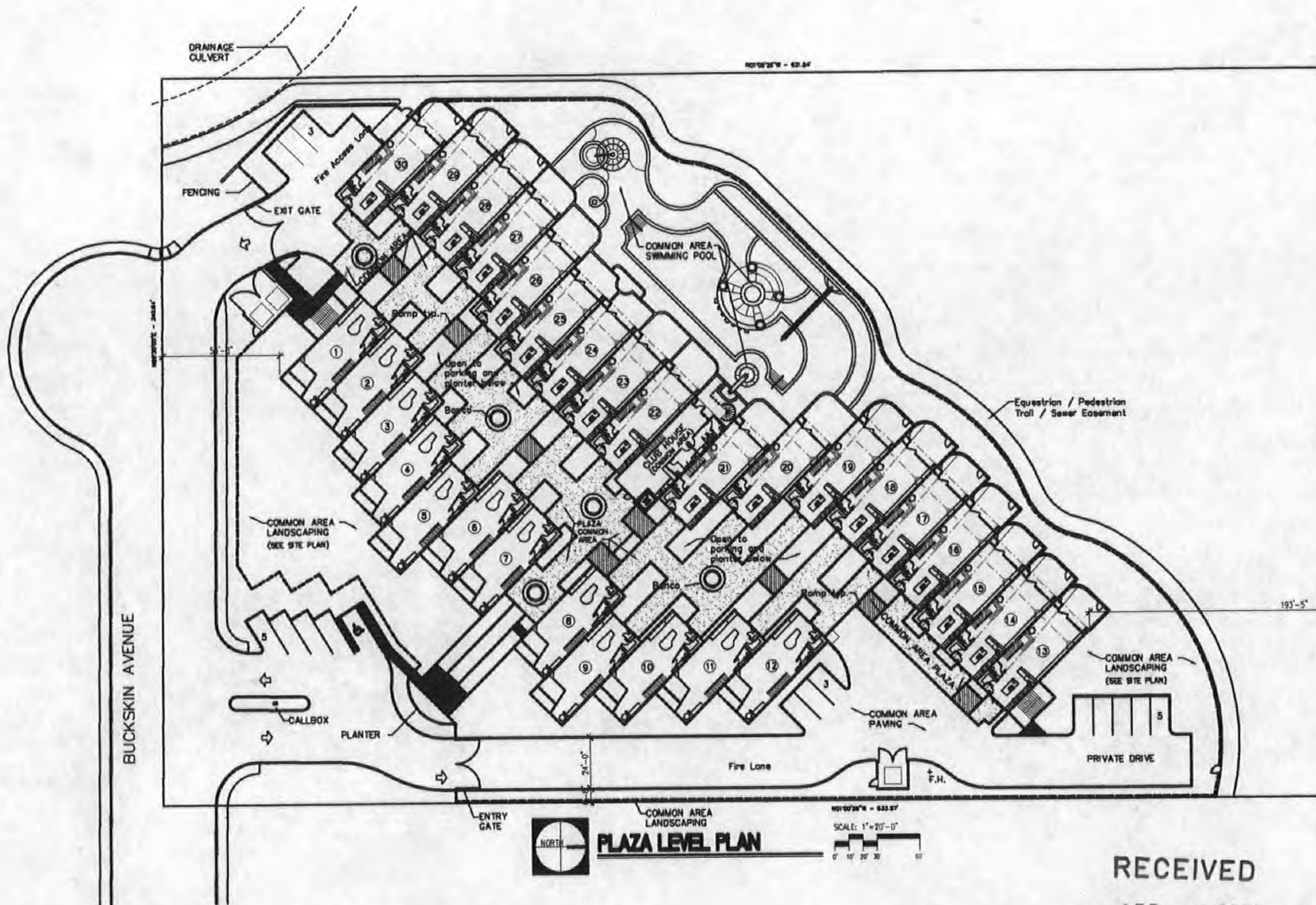
**ERIC MILLER ARCHITECT - AIA**  
 1000 W. WASHINGTON AVE.  
 LAS VEGAS, NEVADA 89109  
 TEL: (702) 367-7944

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Caballos de Oro  
 CONDOMINIUMS  
 LAS VEGAS, NEVADA

---

ARCHITECTURAL  
 L-1  
 LANDSCAPE  
 PLAN



**PLAZA LEVEL PLAN**

RECEIVED  
 APR 06 2006  
 MOD-11027  
 04/27/06 PC  
 REVISED

**ERIC MILLER ARCHITECT - AIA**  
 1000 N. EAST AVE. SUITE 200  
 LAS VEGAS, NEVADA 89101  
 PH: 702.735.1111

**Caballos de Oro**  
 CONDOMINIUMS  
 LAS VEGAS, NEVADA

DRAWN BY: LGS  
 DATE: 11-30-05  
 REVISIONS:

ARCHITECTURAL  
**A1.2**  
 PLAZA LEVEL  
 PLAN

**CURRAN & PARRY**  
**ATTORNEYS AT LAW**

300 SOUTH FOURTH STREET  
SUITE 1201  
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN  
STANLEY W. PARRY  
SUSAN L. JOHNSON  
JOSHUA H. REISMAN  
MAREN PARRY

TELEPHONE  
(702) 471-7000  
FACSIMILE  
(702) 471-7070  
E-MAIL  
curranparry@curranparry.com

March 14, 2006

Doug Rankin  
CITY OF LAS VEGAS  
DEVELOPMENT SERVICES CENTER  
731 South 4th Street  
Las Vegas, NV 89101

**RE: Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows  
APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

ZON-11031 WVR-12368

MOD-11027

VAR-11030 SDR-11034

04/27/06 PC

RECEIVED

MAR 14 2006



Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide and a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

7ON-11031    WVR-12368

MOD-11027

VAR-11030    SDR-11034

04/27/06 PC

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

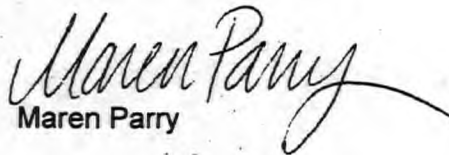
The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

ZON-11031    WVR-12368  
MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC

**CURRAN & PARRY**  
ATTORNEYS AT LAW300 SOUTH FOURTH STREET  
SUITE 1201  
LAS VEGAS, NEVADA 89101WILLIAM P. CURRAN  
STANLEY W. PARRY  
SUSAN L. JOHNSON  
JOSHUA H. REISMAN  
MAREN PARRYTELEPHONE  
(702) 471-7000  
FACSIMILE  
(702) 471-7070  
E-MAIL  
curranparry@curranparry.com

June 20, 2006

Barbara Jo Ronemus, City Clerk  
CITY OF LAS VEGAS  
400 Stewart Avenue  
Las Vegas, Nevada 89101RECEIVED  
CITY CLERK

2006 JUN 20 PM 4:55

RE: **REQUEST TO HOLD -**  
**June 21, 2006 City Council Meeting, Items #133-138 /**  
**Caballos de Oro Estates, LLC/APN: 137-12-301-009**  
**MOD-11027, ZON-11031, WVR-12368, VAR-11030, VAC-12255, SDR-11034**

Dear Ms. Ronemus:

On behalf of my client, Caballos de Oro Estates, LLC, I would like to request that the above referenced items be held to the next City Council meeting scheduled for July 12, 2006.

Should you have any questions about this request, or regarding any of the applications associated with this project, please feel free to contact my office for more information or assistance.

Sincerely,

CURRAN &amp; PARRY

  
Maren Parry

WPC:cw

cc: Councilman Larry Brown  
Margo Wheeler, Planning & Development  
Caballos de Oro Estates, LLC  
Russell Rowe, Esq.

Submitted after final agenda

Date 6/20/06 Item #133-  
#138



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

# Telephone Protest/ Approval Log

Meeting Date: 04/27/06

Case Number: SDR-11034

WVR-12365, VAI-11030, MOD-11027

Date: 04/17/06

Name: LOIS FRETZ

Address: 3411 Cactus Mnt St

L.V. NV 89128

Phone: 255-1747



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

ITEM # 27

CASE # MOD-11027

PC MEETING 4.27.06

P

PLANNING + Development Dept,

APR 18 2006

I have an objection to SDR-11034

VAR-11030

ZON 11031

MOD-11027

WVR-12368

I Live across IN Cliff Shadow & was told that  
No Building would be done across Cliff Shadow Pkwy.

I purchased my home paid extra for Mountain View.

I don't want to see Homes & Pkwy in the Area.

Original a park was scheduled across from our unit

THANK YOU  
Harvey Janger



ITEM # 27  
CASE # MOD-11027  
PC MEETING 4.27.06

P



# Telephone Protest/ Approval Log

MOD-11027

Meeting Date: 4/27/06

Case Number: VAR-11030

SDR-11034, 24V-11131 LOVETZ

Date: 4/26/06

Name: Peter A. Militano

Address: 3545 Cactus St. Wenden

Louis Legay, NV 89129 #202

Phone: 888-966-9669



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

ITEM #

27

CASE #

MOD-11027

PC MEETING

4.27.06

P

Samuel A Fitch, Jr.  
8701 W. Behrend Drive  
Peoria, Arizona 85382

RECEIVED  
APR 25 2006

Planning & Development  
Current Planning Division  
Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

Attention: Mr. Gary Leobold  
Planning Supervisor

Subject: MOD-11027, WVR-12368, ZON-11031, VAR-11030,  
SDR-11034

Dear Sir:

As owner of Condominium Unit No. 101 at 3500 Cactus Shadow Rd., I wish to object to the changes proposed by Mr. Eric Miller in the subject numbered documents. The subject property should remain as is.

Very truly yours,

  
Samuel A. Fitch, Jr.  
623-566-2284

READ INTO  
THE RECORD

ITEM # 27-31  
CASE # \_\_\_\_\_  
PC MEETING 4.27.06

P

April 26, 2006

Las Vegas Planning and Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Dear Sir or Madam:

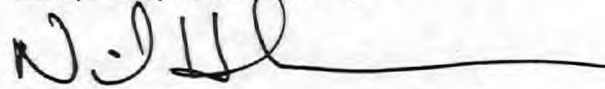
I would like to express my opposition to several items going before the Planning Commission on April 27<sup>th</sup>, 2006. The items are MOD-11027, SDR-11034, VAR-11030, ZON-11031 and WVR-12368.

I oppose all the items on the following grounds:

When I purchased a home in the area of Cheyenne and the 215 Beltway, in the shadow of the mountains, it was largely because of the natural landscape, it is at the edge of the city limits, at the base of a mountain and would be less likely to become as over built as some of the areas in the Las Vegas valley. The original master plan for the area also called for a park and trailhead to the Southwest going up into the canyons and foothills, a sign at the curve of Cliff Shadows Parkway indicated as much. If I'm not mistaken, that area has now been largely rezoned for light commercial. I urge the commission to retain the original master plan and give the community a park and trailhead in that area.

The subject property is behind two medium sized commercial properties at the base of a very steep mountain. On the Northwest side of the subject property, adjacent to the commercial property at 3455 Cliff Shadows Pkwy, the space between the mountain and the property is extremely limited and by my layman's estimate does not provide sufficient space to put another building without cutting into the mountain. The area of McDonald Highlands in Henderson, NV is a stark example of destroying the natural beauty of the landscape in an effort to put a building on every square inch of "usable" land. I urge the City of Las Vegas to not repeat the City of Henderson's mistake.

Thank you for your consideration,



Neil Henderson  
Owner Resident  
Cliff Shadows Condominium Association

**READ INTO  
THE RECORD**

2006 APR 27 10 07 AM

ITEM # 27-31

CASE # \_\_\_\_\_

PC MEETING 4-26-06 PC

P



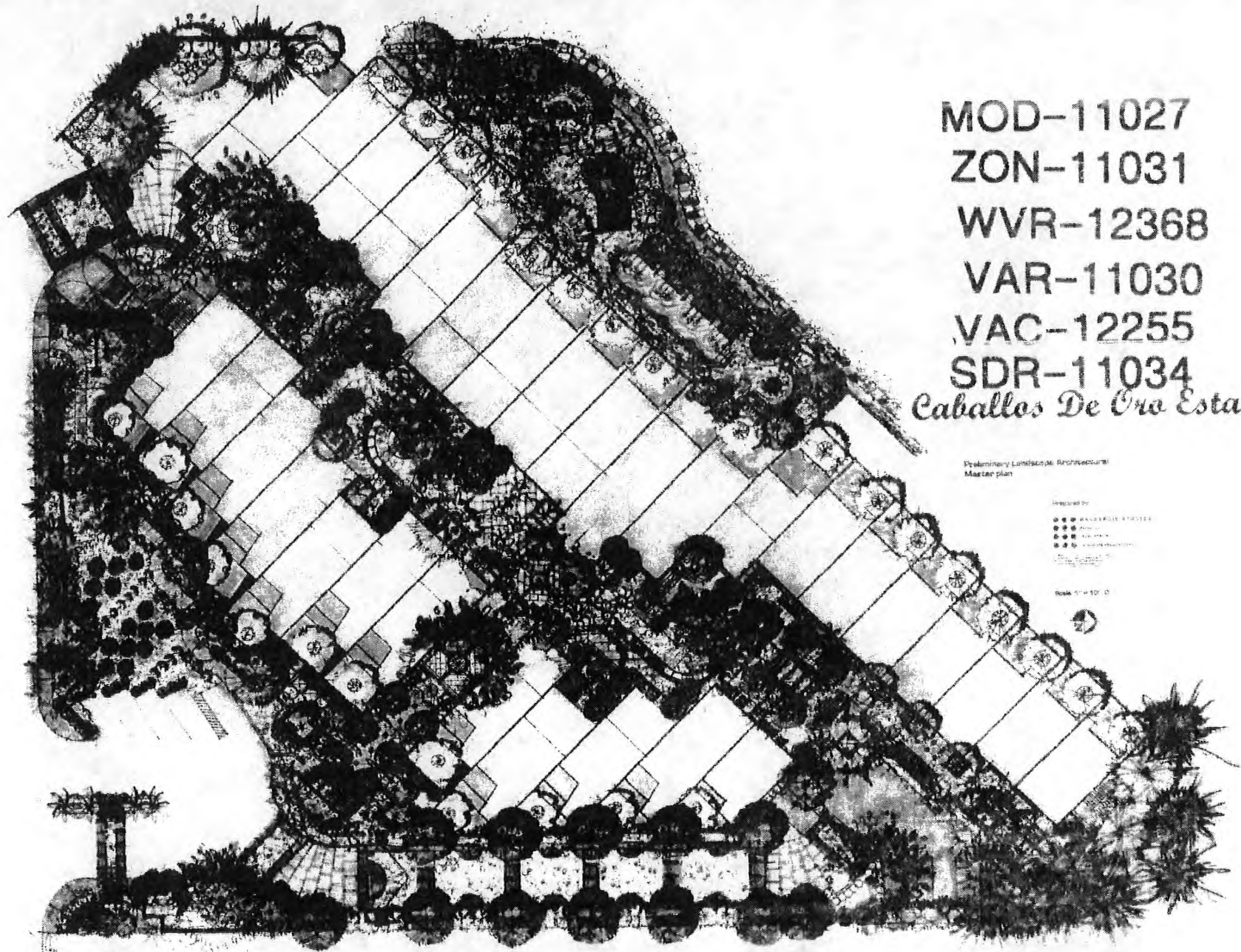
Google  
Maps



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MOD-11027

ZON-11031

WVR-12368

VAR-11030

VAC-12255

SDR-11034

*Caballos De Oro Estates*

Preliminary Landscape Architectural  
Master plan

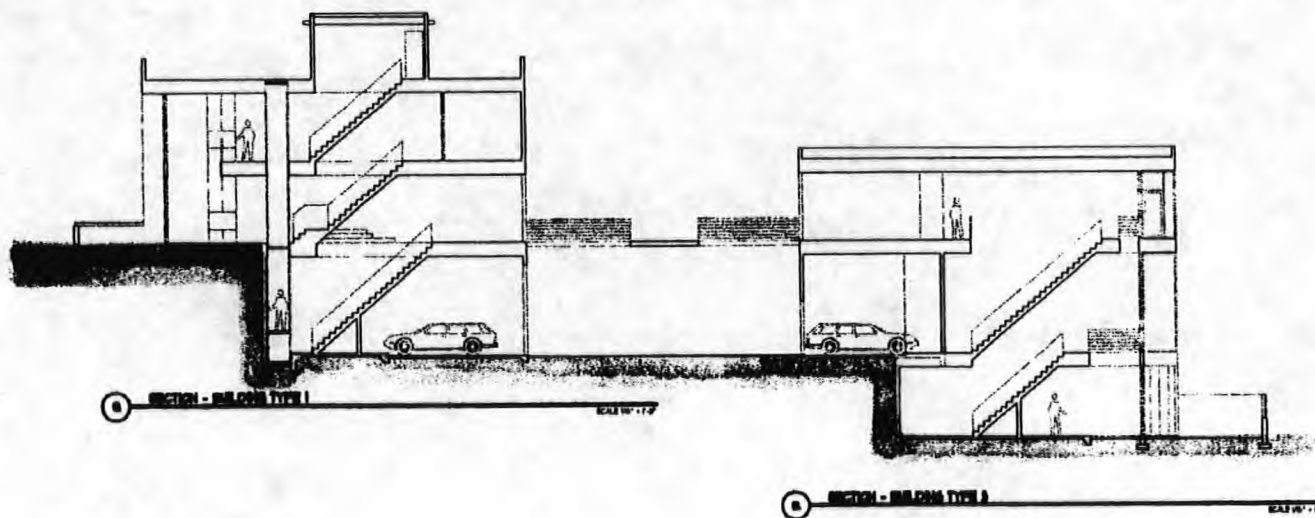
Prepared by

• • • • • CABALLOS DE ORO ESTATES  
• • • • • ARCHITECTS  
• • • • • 10000 N. 10TH AVE.  
• • • • • SUITE 100  
• • • • • PHOENIX, ARIZONA 85020

Scale: 1" = 10' 0"







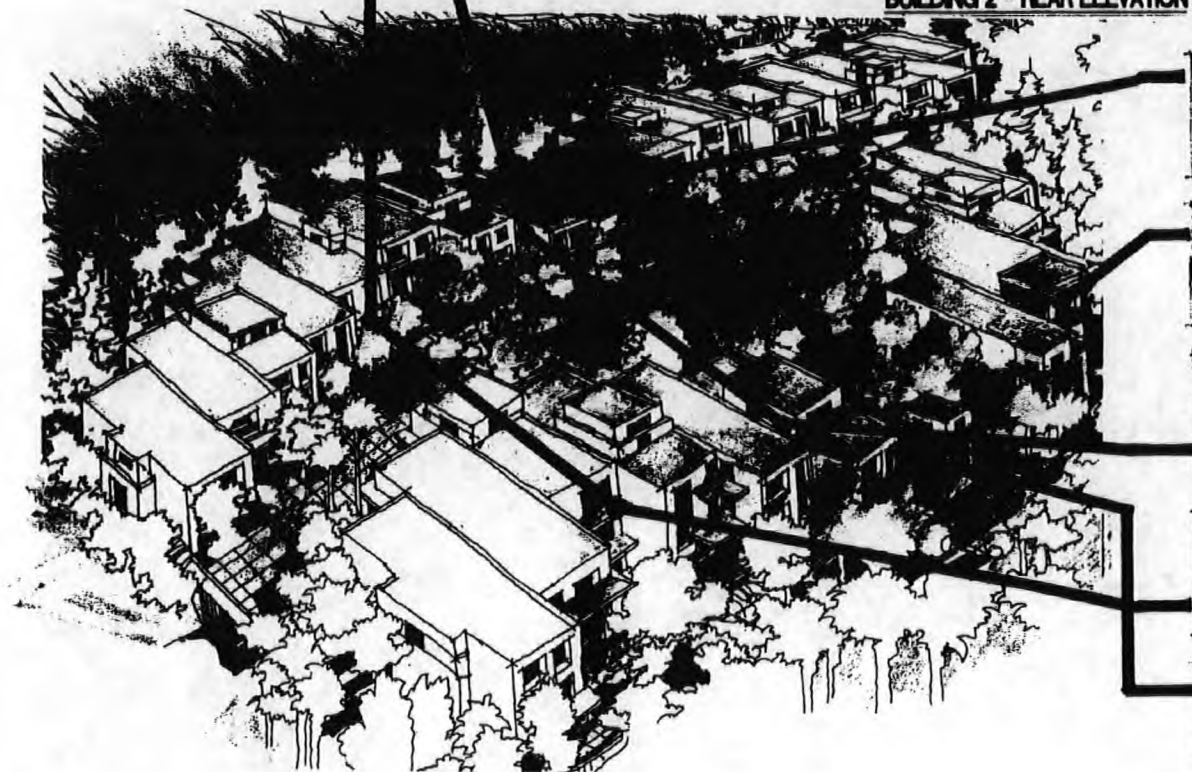
MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

|                                                                                                                                                                            |  |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
| <br>ERIC MILLER ARCHITECT AIA<br>1000 S. RAMPART BLVD. SUITE 200<br>LAS VEGAS, NV 89102 |  |
| Caballos de Oro<br>CONDOMINIUMS<br>LAS VEGAS, NEVADA                                                                                                                       |  |
| DRAWN BY: LCH<br>DATE: 5-25-06<br>REVISIONS:                                                                                                                               |  |
| ARCHITECTURAL<br><b>A5.2</b><br>BUILDING SECTIONS                                                                                                                          |  |

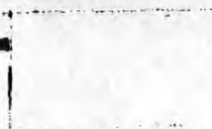
City of Las Vegas Planning Commis  
 Date 5/25/06 Item #15 2



**BUILDING 2 - REAR ELEVATION**



DUNN-EDWARDS  
DE 6062  
TEA BAG  
LRV 12



DUNN-EDWARDS  
DE 6303  
SKY-GLASS  
LRV 64



DUNN-EDWARDS  
DE 6156  
MARBLE DUST  
LRV 73



DUNN-EDWARDS  
DE 6221  
FLINSTONE  
LRV 43

CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001

MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



ERIC MILLER ARCHITECT - AIA  
1000 S. RAMPART AVENUE, SUITE 100  
LAS VEGAS, NEVADA 89102  
PH: 702.735.1111  
FAX: 702.735.1112

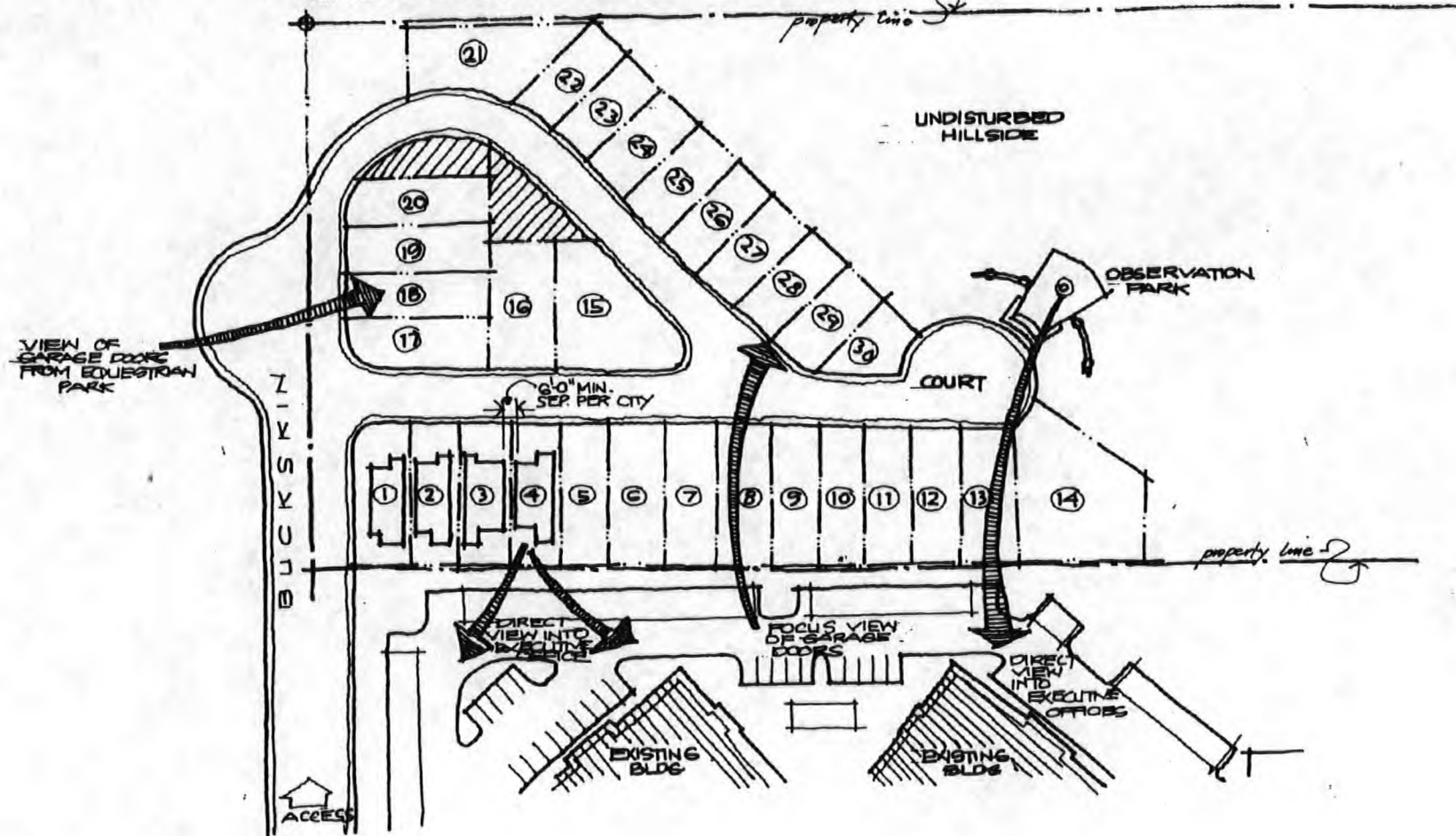
Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS  
NEVADA

DRAWN BY: LON  
DATE: 1-30-05  
REVISIONS

ARCHITECTURAL  
A4.2  
BUILDING 2  
ELEVATIONS

# CONCEPTUAL PLAN

SINGLE FAMILY DETACHED EMA 05-23-06 N.T.S.



MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

REZONING RELATED TO MOD-11027

ZON-11031 - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) MASTER PLAN DESIGNATION] TO: PD (PLANNED DEVELOPMENT) [L (LOW DENSITY RESIDENTIAL) SPECIAL LAND USE DESIGNATION] on 5.0 acres west of the intersection of Cheyenne Avenue and the I-215 Beltway (APN 137-12-301-009), U (Undeveloped) Zone, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="8"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Curran and Parry for Items 133 through 138 filed under Item 133
6. Backup referenced from the 05/25/06 Planning Commission meeting Item 16

**MOTIONS:**

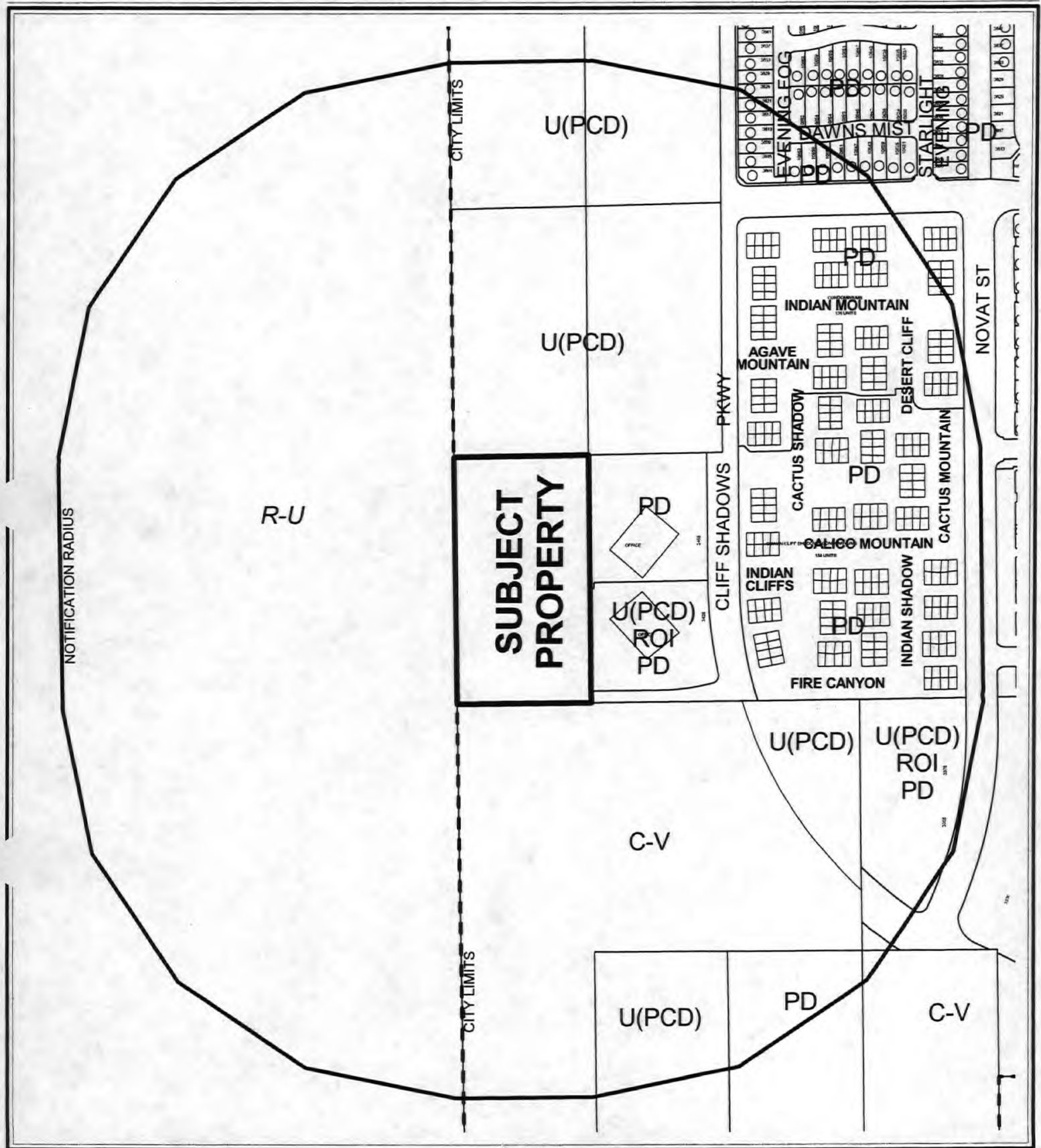
REESE - HOLD IN ABEYANCE Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and STRIKE Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - UNANIMOUS

**MINUTES:**

There was no discussion.

(1:28 - 1:30)

3-15



**CASE: ZON-11031**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

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

**PROPOSED ZONING OF SUBJECT PROPERTY:**

PD (PLANNED DEVELOPMENT)

0 500 1000 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ABEYANCE - ZON-11031 - APPLICANT: ERIC MILLER -  
OWNER: CABALLOS DE ORO ESTATES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. A Major Modification (MOD-11027) to allow attached single-family dwellings and three-story structures in the L (Low Density Residential) special land use designation of the Lone Mountain West Master Development Plan, approved by the City Council.
2. A Site Development Plan Review (SDR-11034) application approved by the City of Las Vegas is required 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, extending to the western edge of this site, for Buckskin Avenue.
4. Construct half-street improvements on Buckskin Avenue including a termination at the western edge of this site acceptable to the City Engineer 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. Extend all required underground utilities, such as electrical, telephone, etc., located within public rights-of-way, past the boundaries of this site prior to construction of hard surfacing (asphalt or concrete).
5. Submit an Encroachment Agreement for any landscaping and private improvements, if any, located within the Buckskin Avenue public right-of-way adjacent to this site prior to occupancy of this site.
6. An update to the Lone Mountain West Master Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas



recommended by the approved Traffic Impact Analysis. All additional rights-of-way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on-site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. If additional rights-of-way are not required and Traffic Control devices are or may be proposed at this site outside of the public right-of-way, all necessary easements for the location and/or access of such devices shall be granted prior to the issuance of permits for this site. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.

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

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Rezoning from U (Undeveloped) [PCD (Planned Community Development) Master Plan Designation) to PD (Planned Development) on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) for a 30-unit attached single-family development have been submitted concurrently.

**EXECUTIVE SUMMARY**

This request is consistent with both the Master Plan Designation of PCD (Planned Community Development) and with the Lone Mountain West special land use designation of L (Low Density Residential). Approval of this request, and of several companion applications, will facilitate the development of 30 attached single-family townhome-style units on the site.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00      The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.

- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 02/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784 ZON-5785 VAR-5786 VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, WVR-12368, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #16/gl).

***B) Pre-Application Meeting***

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

***C) Neighborhood Meetings***

- 02/02/05 A neighborhood meeting is not required for a Rezoning application; however, one was required for companion request Major Modification MOD-11027.
- The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.



The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

- a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

- b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

#### **DETAILS OF APPLICATION REQUEST**

**A) Site Area**

Gross Acres: 5.0

**B) Existing Land Use**

Subject Property: Undeveloped  
North: Undeveloped  
South: Undeveloped (park under design and development)  
East: Office Building  
West: Red Rock Canyon National Conservation Area

**C) Planned Land Use**

Subject Property: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
North: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
South: PCD (Planned Community Development)  
PROS (Parks, Schools, Recreation, Open Space) Lone Mountain West Special Land Use Designation  
East: PCD (Planned Community Development)  
VC (Village Commercial) Lone Mountain West Special Land Use Designation  
West: (RC) Resource Conservation

**D) Existing Zoning**

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

**E) General Plan Compliance**

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

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

Lone Mountain West Master Development Plan

The proposed development is not in compliance with the Lone Mountain Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

Trails

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail along the northern edge of the proposed development.

**F) Density**

| <i><b>EXISTING ZONING</b></i> | <i><b>PERMITTED DENSITY</b></i> | <i><b>PROPOSED ZONING</b></i> | <i><b>PERMITTED DENSITY</b></i> | <i><b>GENERAL PLAN</b></i>    | <i><b>PERMITTED DENSITY</b></i> |
|-------------------------------|---------------------------------|-------------------------------|---------------------------------|-------------------------------|---------------------------------|
| U<br>(Undeveloped)            | 2 du/ac                         | PD                            | No stated limit                 | PCD<br>L (Lone Mountain West) | 8 du/gross ac<br>6 du/gross ac  |

Although no limit to density is stated within the PD (Planned Development) zoning district, use of this district is tied directly to an approved master development plan. In this case, the Lone Mountain West Master Development Plan limits density on the subject site to six units per acre. Any development that is allowed pursuant to the proposed PD (Planned development) zoning district will be consistent with this maximum density.

## **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 General Plan category of PCD (Planned Community Development) defers to the approved master development plan for all policy structure other than a limitation of eight units of residential development per gross acre of the overall site. The proposed Rezoning request does not conflict with the mandate. The proposed rezoning is also consistent with the existing L (Low Density Residential) Lone Mountain West special land use designation for the site.

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

The proposed Rezoning will facilitate the approval of a related Site Development Plan Review, SDR-11034, concurrently with this request. Although the density of the related project is consistent with the currently approved density in the Lone Mountain West Plan for this site, the proposed building height and the attached single-family use are not consistent with the current parameters of the L (Low Density Residential) special land use designation. The applicant is seeking a Major Modification (MOD-11027) to the Plan and a Variance (VAR-11030) to Title 19 to address these issues.

The architectural theme of the related project is inconsistent with the stated development themes for the Plan area, as it is not Italian Renaissance, Mission, or Southwest Contemporary in appearance. It is a relatively plain, very modern looking project with limited relationship to the stated themes; however, due to the isolated location of the site, and it's relative similarity to the style of the adjacent office structures, approval of this waiver to the architectural theme can be recommended.

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

The PD (Planned Development) Zoning District is the intended zoning district for all of Lone Mountain West. The development pattern in this area is set through the special land use designation of the Lone Mountain West Master Development Plan, and not through this zoning district. This request is appropriate, as it will facilitate urban development within the area, pursuant to Plan policies for the area.



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

The site is located at the end of Buckskin Avenue, a 60-foot wide local street; the street segment is currently shared only with the abutting property to the east, but will be required to provide access to the park site to the south and federal lands to the west. Access and circulation will have a little impact on adjacent roadways.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 340 by Planning Department

**APPROVALS** 0

**PROTESTS** 8



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-11031** APN: **137. 12. 301. 009**

Name of Property Owner: **CABALLOS DE ORO ESTATES, LLC**

Name of Applicant: **ERIC MILLER ARCHITECT**

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: \_\_\_\_\_

Print Name: \_\_\_\_\_

**AUDY PHAM**

Subscribed and sworn before me

This **15** day of **December**, 20 **05**

**John W. Stoll**  
Notary Public in and for said County and State



30' ROW TO BE DEDICATED  
FOR POSSIBLE FUTURE ROAD  
(CAN BE LANDSCAPED NOW)

DRAINAGE  
CULVERT

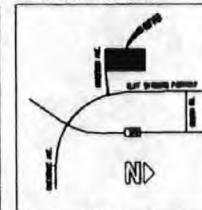
N01°06'26"W - 631.54'

CLARK COUNTY  
CITY OF LAS VEGAS

# SITE DATA

SUBAREA: NET = 21.148 AC. 4.88 AC  
 LOT COVERAGE: 14,300 SF. BUILD / 21,148 SF. = 67.6%  
 42,500 SF. PAVING / 21,148 SF. = 201%  
 46.6% TOTAL  
 SUBSISTENCE: 20 UNITS / 4.88 AC ± 4.10 AC  
 PARKING: REQUIRED 1 UNIT / 1.0 SPACE  
 GUEST 1.5 UNITS = 30 SPACES TOTAL  
 PROVIDED: 40 CAR SPACES  
 GUEST 1.5 UNITS = 30 SPACES TOTAL  
 TO SPACES TOTAL

# SITE LOCATION



Equestrian / Pedestrian  
Trail / Sewer Easement

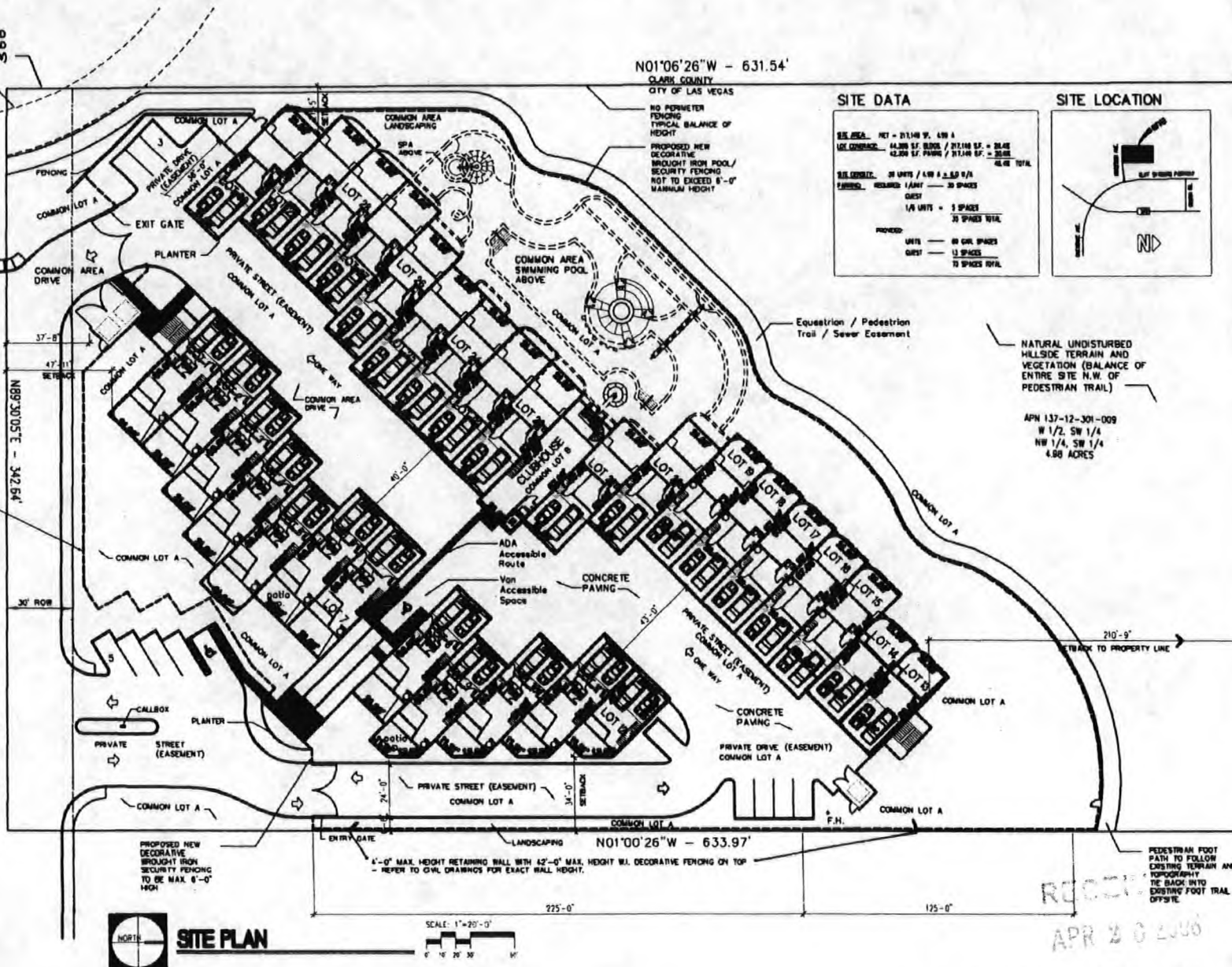
NATURAL UNDISTURBED  
HILLSIDE TERRAIN AND  
VEGETATION (BALANCE OF  
ENTIRE SITE N.W. OF  
PEDESTRIAN TRAIL)

APN 137-12-301-009  
 W 1/2, SW 1/4  
 NW 1/4, SW 1/4  
 4.88 ACRES

BUCKSKIN AVENUE (PUBLIC)

PROPOSED NEW  
DECORATIVE  
BROUGHT IRON  
SECURITY FENCING  
TO BE MAX. 6'-0"  
HIGH

APN 137-12-401-001  
 UNDEVELOPED



SITE PLAN

SCALE: 1"=20'-0"  
 0' 10' 20' 30'

ZON-11031 REVISED  
 04/27/06 PC



ERIC MILLER ARCHITECT - AIA  
 1000 S. RAMPART AVENUE, SUITE 200  
 LAS VEGAS, NEVADA 89102  
 PHONE: 702.735.1111  
 FAX: 702.735.1112

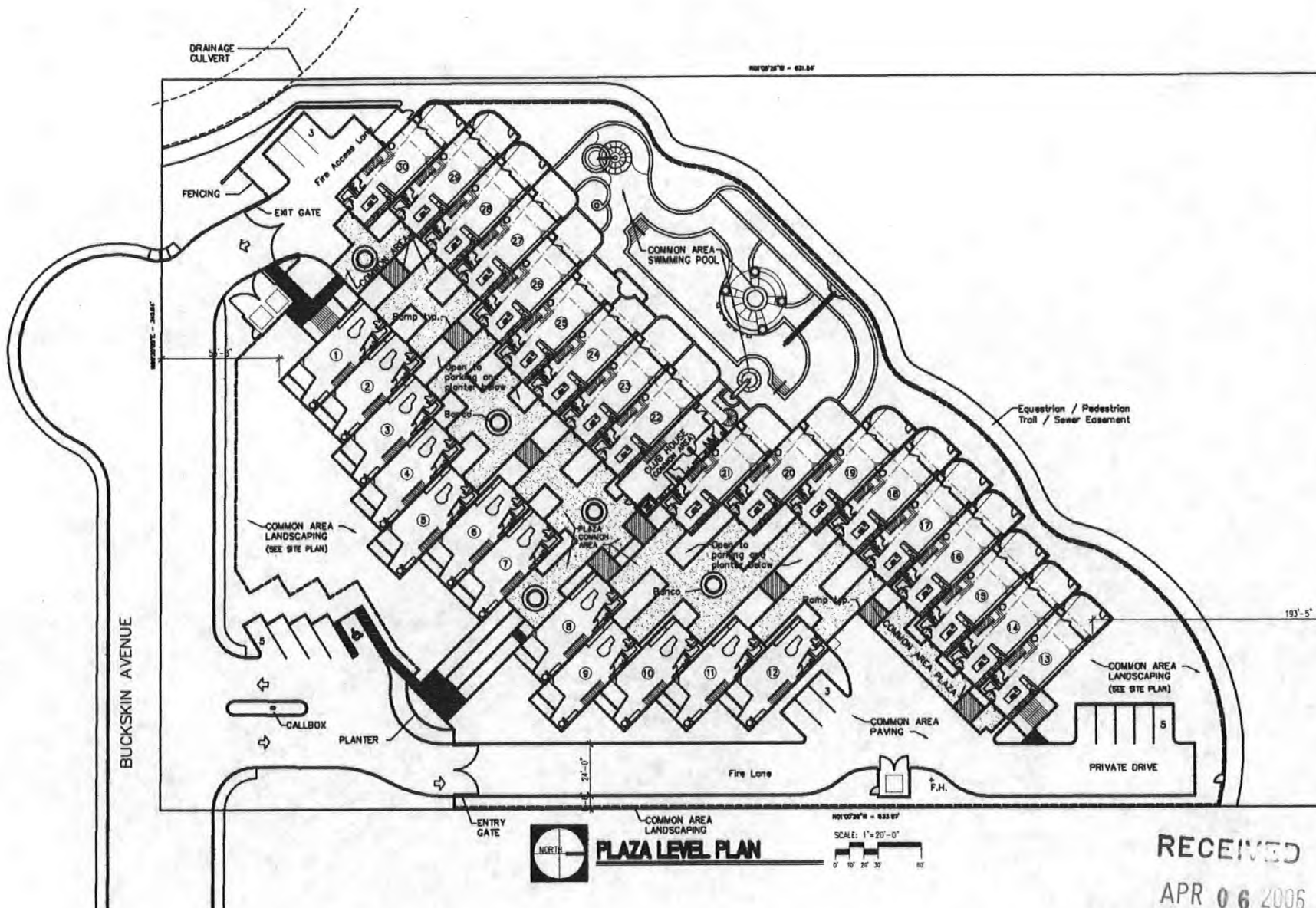
Caballos de Oro  
 CONDOMINIUMS  
 LAS VEGAS, NEVADA

DRAWN BY: LDU  
 DATE: 04-20-06  
 REVISIONS

ARCHITECTURAL  
 A1.1  
 SITE PLAN







**ERIC MILLER ARCHITECT • AIA**  
 1000 S. 10TH AVENUE, SUITE 100  
 LAS VEGAS, NEVADA 89104  
 PHONE: 702.735.1000  
 FAX: 702.735.1001

**Caballos de Oro**  
**CONDOMINIUMS**  
 LAS VEGAS, NEVADA

DRAWN BY: LDM  
 DATE: 11-30-05  
 REVISIONS:

ARCHITECTURAL  
**A1.2**  
 PLAZA LEVEL PLAN

RECEIVED  
 APR 06 2006  
**ZON-11031**  
**04/27/06 PC**  
**REVISED**

**CURRAN & PARRY**  
**ATTORNEYS AT LAW**

300 SOUTH FOURTH STREET  
SUITE 1201  
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN  
STANLEY W. PARRY  
SUSAN L. JOHNSON  
JOSHUA H. REISMAN  
MAREN PARRY

TELEPHONE  
(702) 471-7000  
FACSIMILE  
(702) 471-7070  
E-MAIL  
curranparry@curranparry.com

March 14, 2006

Doug Rankin  
CITY OF LAS VEGAS  
DEVELOPMENT SERVICES CENTER  
731 South 4th Street  
Las Vegas, NV 89101

**RE: Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows  
APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

**ZON-11031 WVR-12368**

**MOD-11027**

**VAR-11030 SDR-11034**

**04/27/06 PC**

**RECEIVED**

**MAR 14 2006**



Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide and a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

ZON-11031    WVR-12368  
                 MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

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7ON-11031 WVR-12368  
MOD-11027  
VAR-11030 SDR-11034  
04/27/06 PC

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

ZON-11031    WVR-12368  
MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC



Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

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Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

ZON-11031    WVR-12368  
MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC

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

# Telephone Protest/ Approval Log

Meeting Date: 04/27/06

Case Number: SDR-11034

WVR-12368, VAC-11030, MDZ-11027

Date: 04/17/06

Name: LOIS FRETZ

Address: 3411 Cactus mint St

L.V. NV 89128

Phone: 255-1747



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

ITEM #

28

CASE #

ZON-11031

PC MEETING

427.06

P



PLANNING + Development Dept,

APR 18 2006

I have an objection to: SDR-11034

VAR-11030

ZON 11031

MOD-11027

WVR-12368

I Live across in Cliff Shadow & was told that  
No Building would be done across Cliff Shadow Pkwy.

I purchased my home paid extra for Mountain View.

I don't want to see Howard Park in this Area.

Original a park was scheduled across from our unit

THANK YOU  
Harvey Langer



ITEM # 24  
CASE # ZON-11031  
PC MEETING 4.27.06 P

# Telephone Protest/ Approval Log

MOD-11027

Meeting Date: 4/27/06

Case Number: VAR-11030

12365

SDR-11034, ZON-11031 LOVRETE

Date:

4/26/06

Name:

Peter H Militano

Address:

3545 Cactus Slender

Las Vegas, NV 89129 #202

Phone:

889-8669



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

ITEM #

28

CASE #

ZON-11031

PC MEETING

4-27-06

P

Samuel A Fitch, Jr.  
8701 W. Behrend Drive  
Peoria, Arizona 85382

RECEIVED  
APR 25 2006

Planning & Development  
Current Planning Division  
Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

Attention: Mr. Gary Leobold  
Planning Supervisor

Subject: MOD-11027, WVR-12368, ZON-11031, VAR-11030,  
SDR-11034

Dear Sir:

As owner of Condominium Unit No. 101 at 3500 Cactus Shadow Rd., I wish to object to the changes proposed by Mr. Eric Miller in the subject numbered documents. The subject property should remain as is.

Very truly yours,



Samuel A. Fitch, Jr.  
623-566-2284

READ INTO  
THE RECORD

ITEM # 27-31  
CASE # \_\_\_\_\_  
PC MEETING 4.27.06

P



April 26, 2006

Las Vegas Planning and Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Dear Sir or Madam:

I would like to express my opposition to several items going before the Planning Commission on April 27<sup>th</sup>, 2006. The items are MOD-11027, SDR-11034, VAR-11030, ZON-11031 and WVR-12368.

I oppose all the items on the following grounds:

When I purchased a home in the area of Cheyenne and the 215 Beltway, in the shadow of the mountains, it was largely because of the natural landscape, it is at the edge of the city limits, at the base of a mountain and would be less likely to become as over built as some of the areas in the Las Vegas valley. The original master plan for the area also called for a park and trailhead to the Southwest going up into the canyons and foothills, a sign at the curve of Cliff Shadows Parkway indicated as much. If I'm not mistaken, that area has now been largely rezoned for light commercial. I urge the commission to retain the original master plan and give the community a park and trailhead in that area.

The subject property is behind two medium sized commercial properties at the base of a very steep mountain. On the Northwest side of the subject property, adjacent to the commercial property at 3455 Cliff Shadows Pkwy, the space between the mountain and the property is extremely limited and by my layman's estimate does not provide sufficient space to put another building without cutting into the mountain. The area of McDonald Highlands in Henderson, NV is a stark example of destroying the natural beauty of the landscape in an effort to put a building on every square inch of "usable" land. I urge the City of Las Vegas to not repeat the City of Henderson's mistake.

Thank you for your consideration,



Neil Henderson  
Owner Resident  
Cliff Shadows Condominium Association

**READ INTO  
THE RECORD**

ITEM # 27-31

CASE # \_\_\_\_\_

PC MEETING 4-26-06 PC

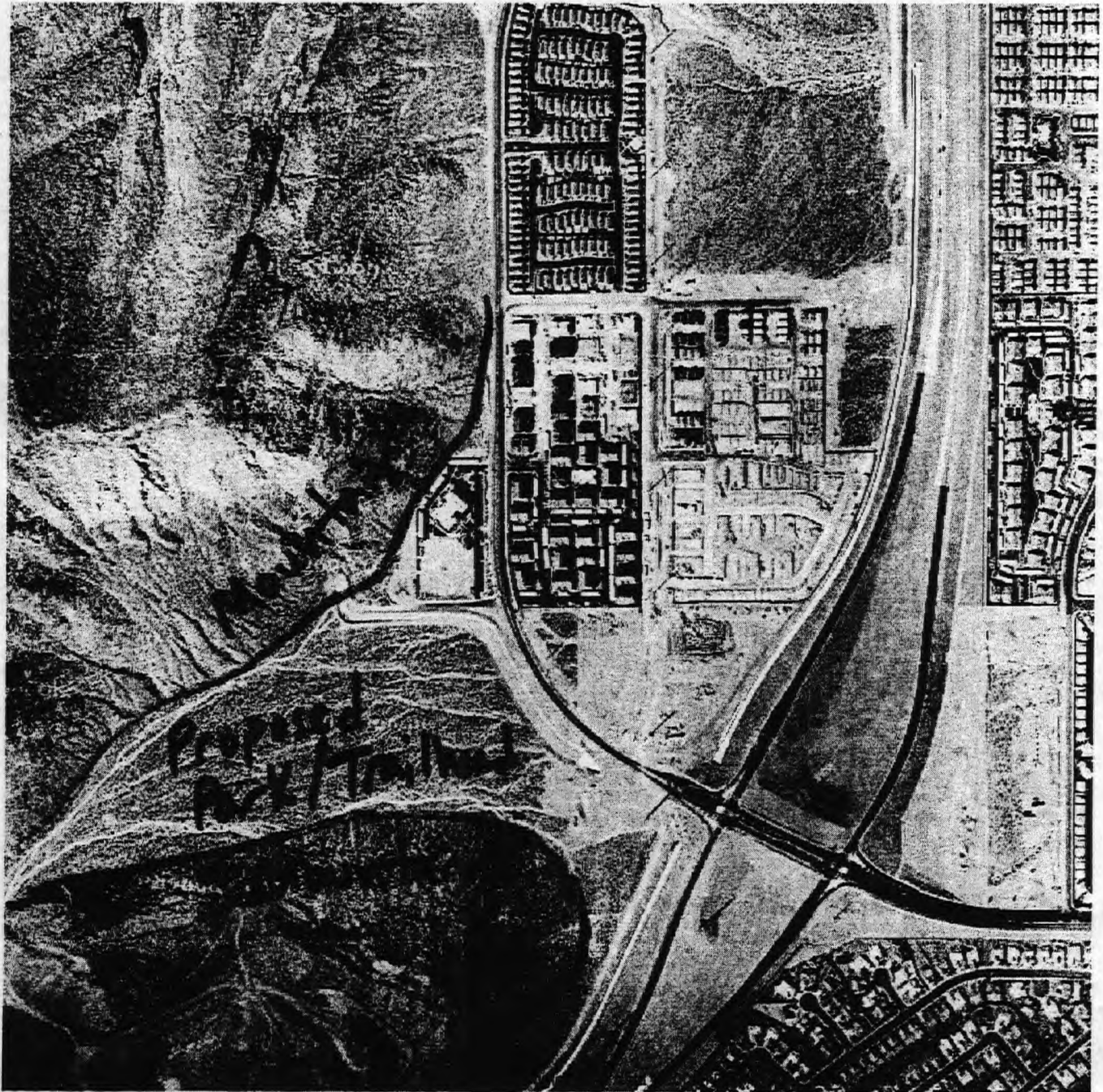
P

Google  
Maps

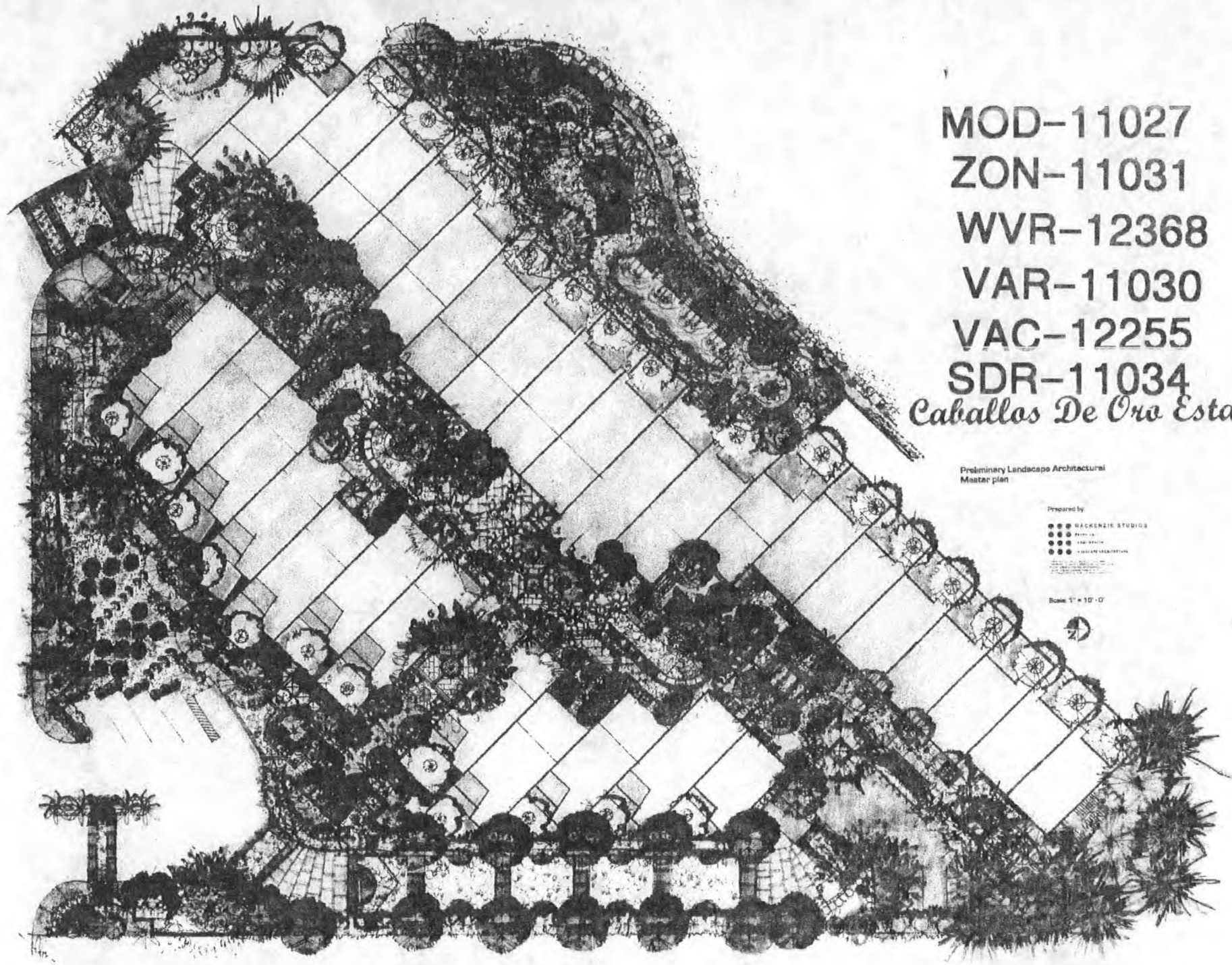




Google  
Maps







MOD-11027  
ZON-11031  
WVR-12368  
VAR-11030  
VAC-12255  
SDR-11034  
*Caballos De Oro Estates*

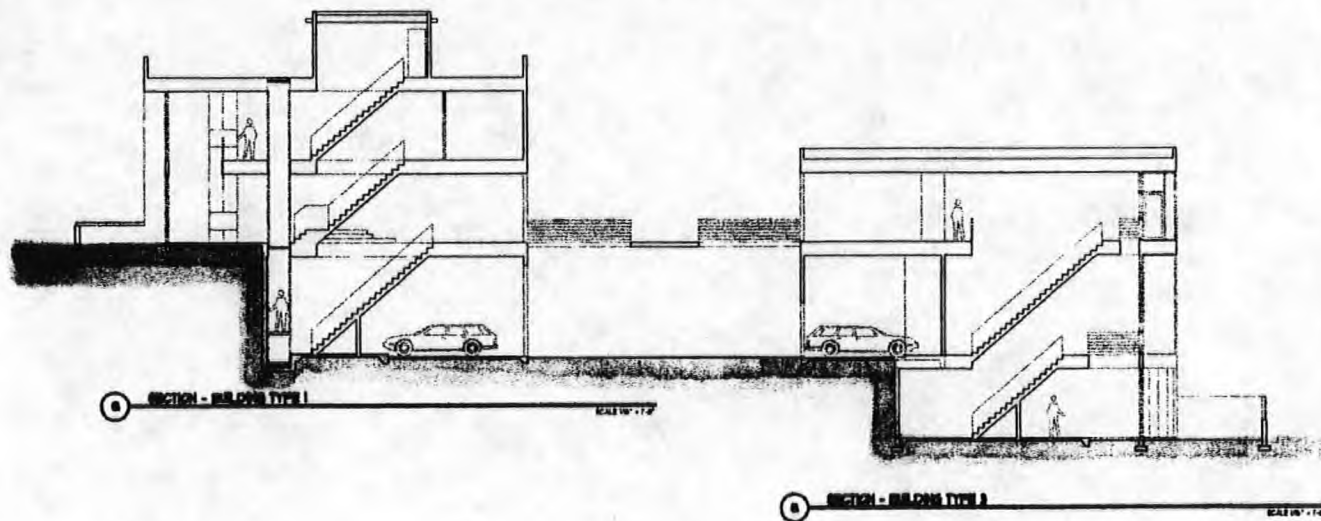
Preliminary Landscape Architectural  
Master plan

Prepared by

••••• HICKENZIE STUDIOS  
••••• PLANNING  
••••• LANDSCAPE ARCHITECTURE  
••••• ARCHITECTURE

Scale 1" = 10'-0"





MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

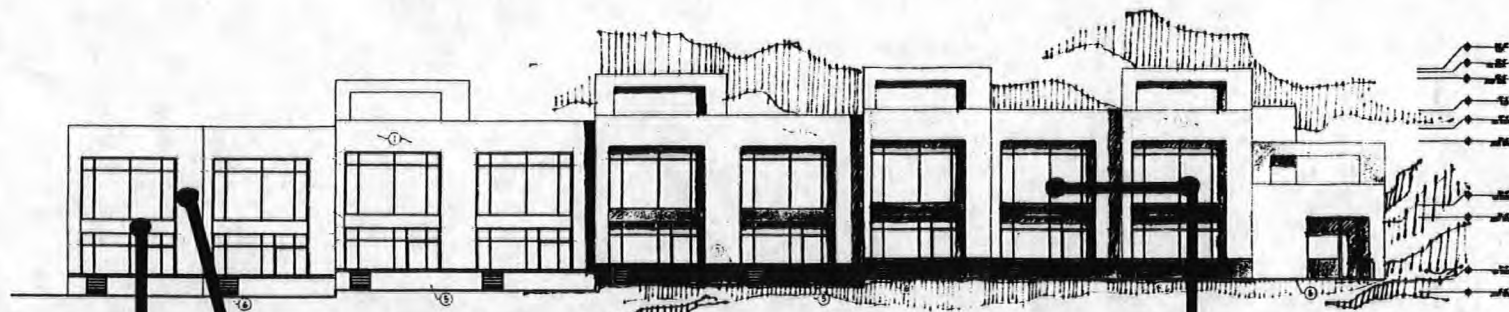
ERIC MILLER ARCHITECT AIA  
 1000 S. RAMPART BLVD. SUITE 200  
 LAS VEGAS, NEVADA 89102  
 TEL: 702.735.1111 FAX: 702.735.1112

Caballos de Oro  
 CONDOMINIUMS  
 LAS VEGAS NEVADA

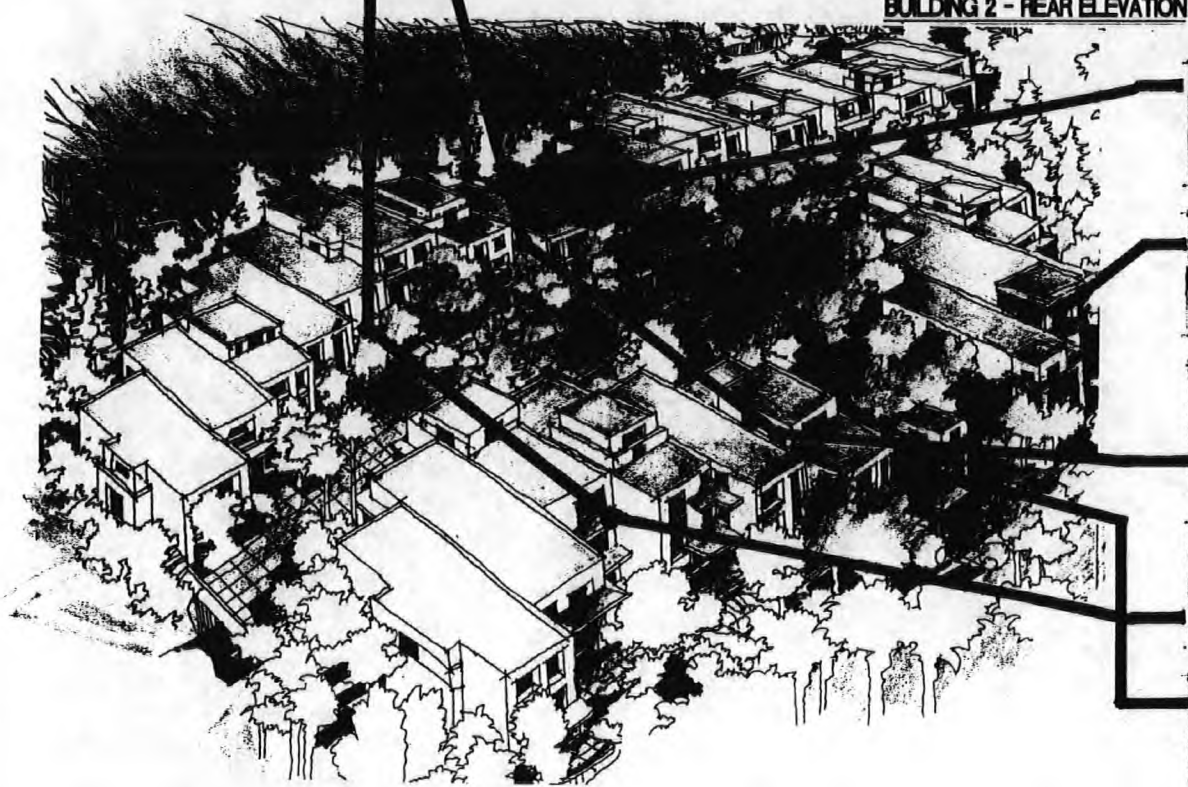
DESIGN BY: LCH  
 DATE: 1-26-06  
 REVISIONS:

ARCHITECTURAL  
 A5.2  
 BUILDING  
 SECTIONS

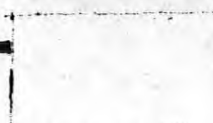
City of Las Vegas Planning Commission  
 Date 5/25/06 Item #15-20



**BUILDING 2 - REAR ELEVATION**



DUNN-EDWARDS  
DE 6062  
TEA BAG  
LRV 12



DUNN-EDWARDS  
DE 6303  
SKY-GLASS  
LRV 64



DUNN-EDWARDS  
DE 6156  
MARBLE DUST  
LRV 73



DUNN-EDWARDS  
DE 6221  
FLINSTONE  
LRV 43



CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001



ERIC MILLER ARCHITECT - AIA  
1000 S. RIVINGTON ROAD  
LAS VEGAS, NEVADA 89101  
PH: (702) 885-7700

Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS, NEVADA

DRAWN BY: LCP  
DATE: 1-30-05  
REVISIONS:

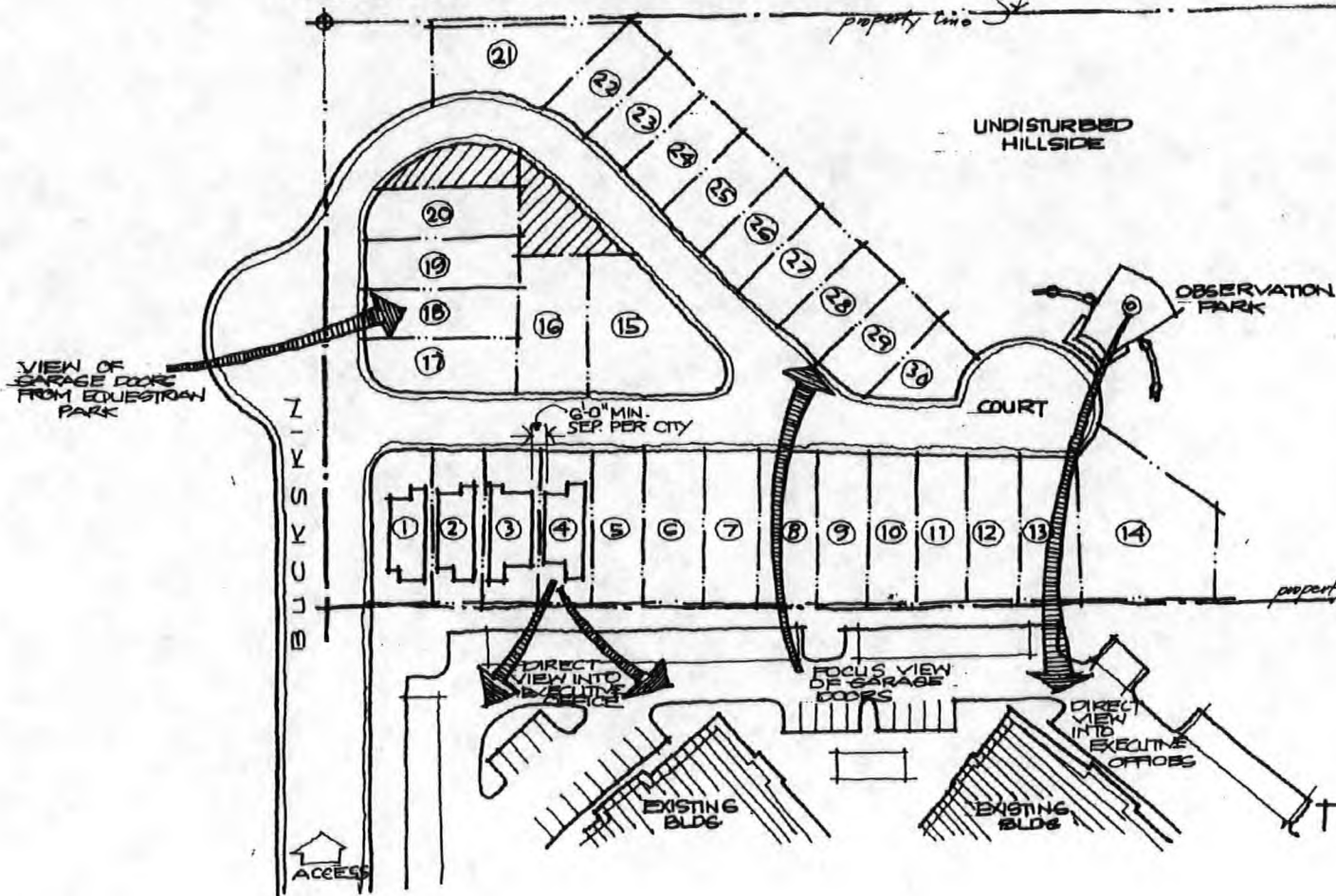
ARCHITECTURAL  
A4.2  
BUILDING 2  
ELEVATIONS

MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



# CONCEPTUAL PLAN

SINGLE FAMILY DETACHED EMA 05-23-06 NTS



MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

---

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT**    ☒ **DISCUSSION****SUBJECT:**

WAIVER RELATED TO MOD-11027 AND ZON-11031

WVR-12368 - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC - Request for a Waiver of Title 18.12.100 TO ALLOW 24-FOOT WIDE PRIVATE STREETS WHERE 37 FEET IS THE MINIMUM REQUIRED on 5.0 acres west of the intersection of Cheyenne Avenue and the I-215 Beltway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] [PROPOSED: PD (Planned Development) Zone] [L (Low Density Residential) Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="8"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Curran and Parry for Items 133 through 138 filed under Item 133
6. Backup referenced from the 05/25/06 Planning Commission meeting Item 17

**MOTIONS:**

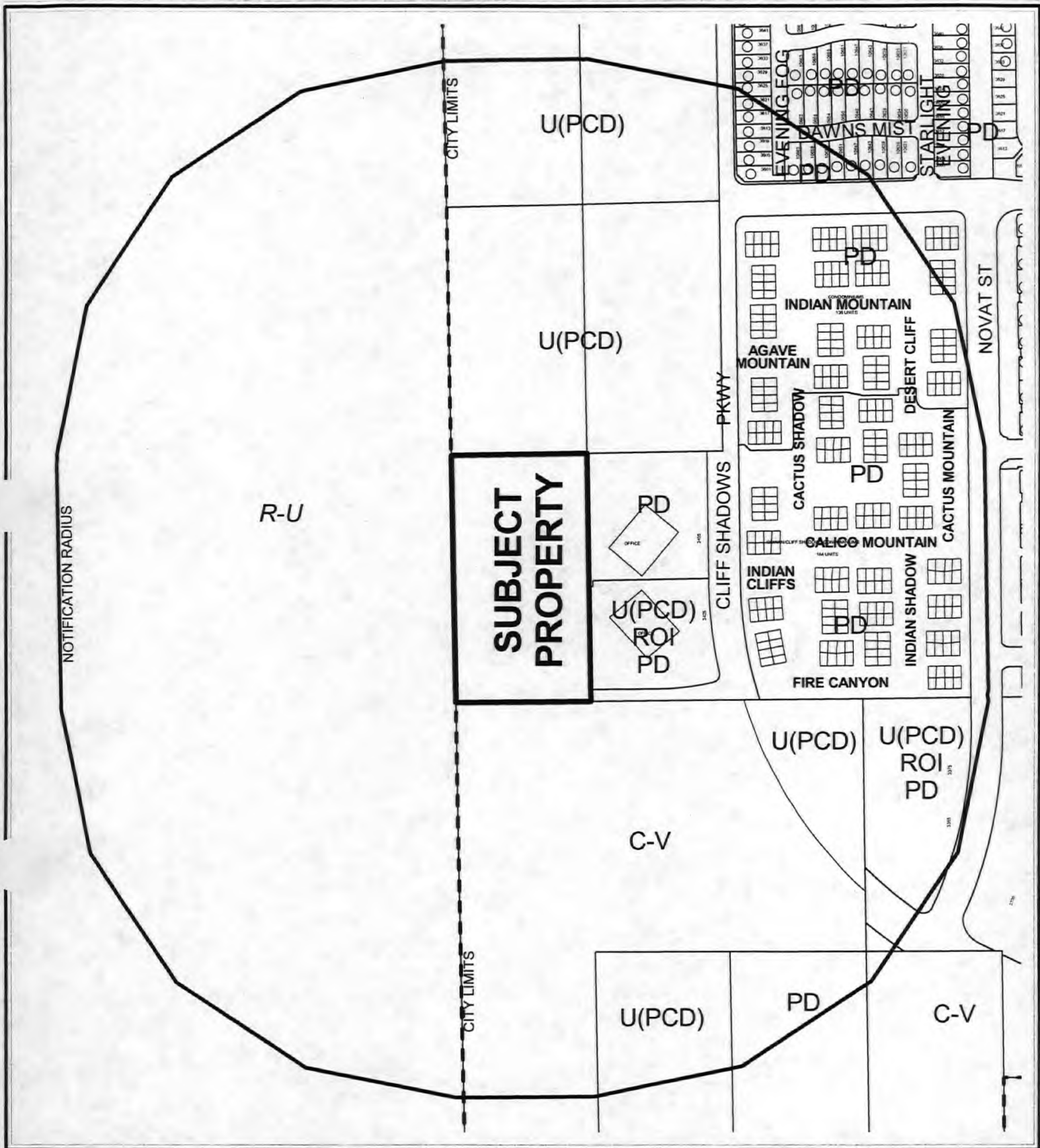
REESE - HOLD IN ABEYANCE Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and STRIKE Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - UNANIMOUS

**MINUTES:**

There was no discussion.

(1:28 - 1:30)

3-15



**CASE: WVR-12368**

**RADIUS: 1000 FT**

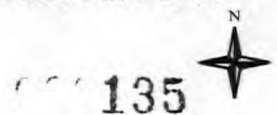
**ZONING OF SUBJECT PROPERTY:**

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

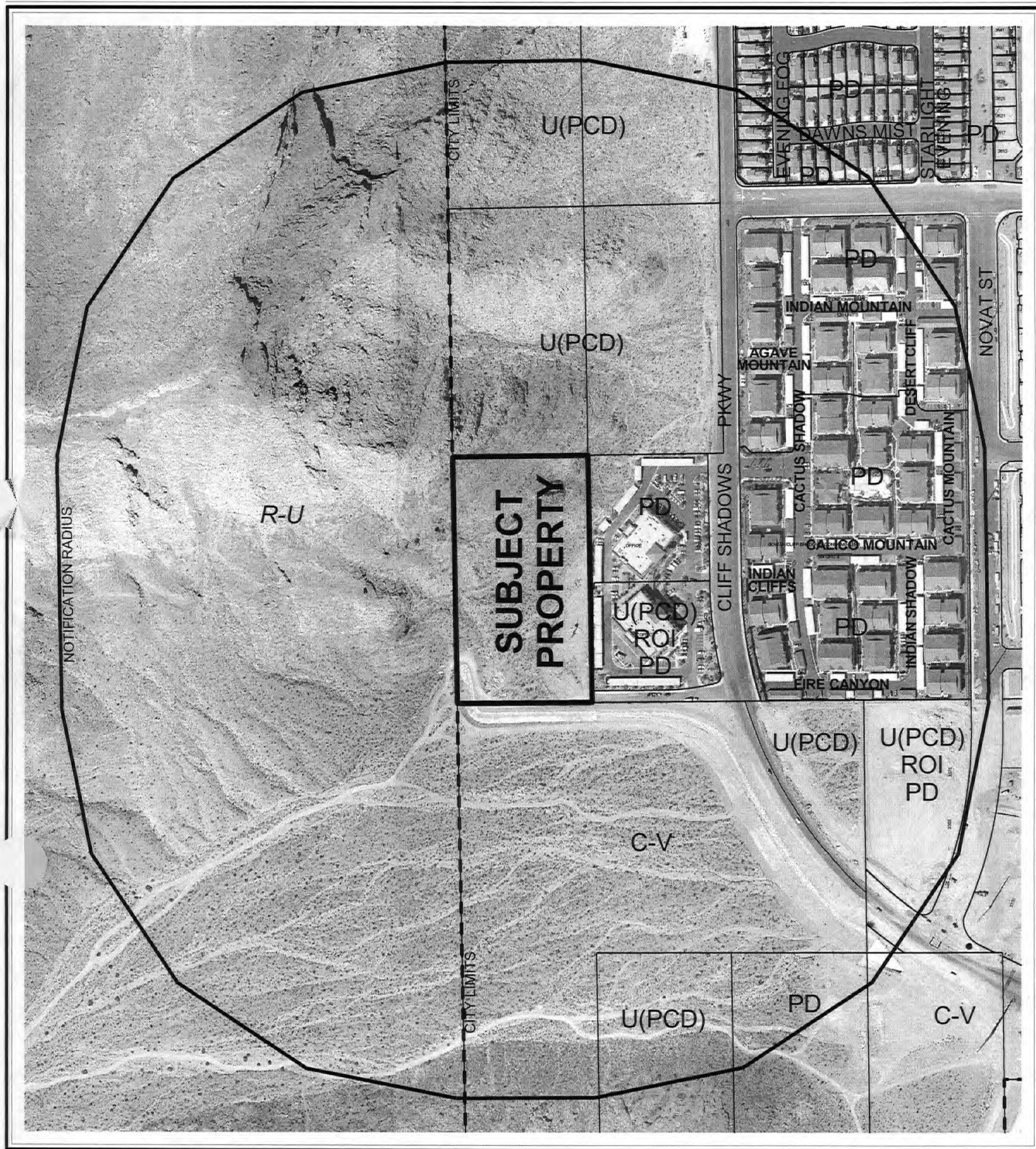
**PROPOSED ZONING OF SUBJECT PROPERTY:**

PD (PLANNED DEVELOPMENT)

0 500 1000 Feet







**CASE: WVR-12368**

**RADIUS: 1000 FT**

**ZONING OF SUBJECT PROPERTY:**

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

**PROPOSED ZONING OF SUBJECT PROPERTY:**

PD (PLANNED DEVELOPMENT)

0 500 1000 Feet



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: WVR-12368 - APPLICANT: ERIC MILLER - OWNER:  
CABALLOS DE ORO ESTATES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-11027), Rezoning (ZON-11031), Variance (VAR-11030), Vacation (VAC-12368) and Site Development Plan Review (SDR-11034) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**Public Works**

3. Curbing on both sides of the 24 foot private streets shall be constructed of red concrete and "Fire Lane No Parking" signs shall be provided in accordance with the adopted Fire Code (Ordinance #5667) of Section 18.2.2.5.7 to prevent on street parking. The curb coloring and signage shall be privately maintained in perpetuity by the Homeowner's Association.
4. The design and layout of all onsite private circulation and access drives must comply with all the fire code requirements for the street widths for emergency fire access.
5. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-11031, Site Development Plan Review SDR-11034 and all other subsequent site-related actions.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Waiver of Title 18.12.100 to allow 24-foot wide private streets where 37 feet is the minimum width required, for a 30-unit attached single-family development on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Variance (VAR-11030) a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) have been submitted concurrently.

**EXECUTIVE SUMMARY**

The applicant intends to build 30 attached single-family townhome-style units on the subject site, only half of which is developable due to sever topography. The use of narrow private streets will enable owners to directly access two-car garages that are part of each unit, on a site with significant topographic constraints. Using streets wider than 24 feet will restrict the proposed elevations and development pattern.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00      The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.



- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, VAR-11030, VAC-12255 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #17/gl).

***B) Pre-Application Meeting***

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

***C) Neighborhood Meetings***

- 02/02/05 A neighborhood meeting is not required for a Title 18 Waiver application; however, one was required for companion request Major Modification MOD-11027.

The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

## **DETAILS OF APPLICATION REQUEST**

### **A) *Site Area***

Gross Acres: 5.0

### **B) *Existing Land Use***

Subject Property: Undeveloped  
North: Undeveloped  
South: Undeveloped (park under design and development)  
East: Office Building  
West: Red Rock Canyon National Conservation Area

### **C) *Planned Land Use***

Subject Property: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
North: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation

South: PCD (Planned Community Development)  
P (Parks, Schools, Recreation, Open Space) Lone Mountain West  
Special Land Use Designation  
East: PCD (Planned Community Development)  
VC (Village Commercial) Lone Mountain West Special Land Use  
Designation  
West: (RC) Resource Conservation

**D) Existing Zoning**

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

**E) General Plan Compliance**

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

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

**Lone Mountain West Master Development Plan**

The proposed development is not in compliance with the Lone Mountain Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

**Trails**

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail along the northern edge of the proposed development.



## **ANALYSIS**

This is a request for a Waiver of Title 18.12.100 to allow a 24-foot private street section where 37 feet is the minimum street section width allowed. The applicant is proposing to place a 24-foot wide private street internally within the parcel to serve the 30 attached single-family lots the applicant is seeking to develop. The steep slopes within the parcel are the reason a narrower street section is desired, so that the gradient between the units, all of which will be served by the private street which loops through the project, will not be excessive.

Specifically, Title 18.12.100 states:

“Private streets must comply with applicable City standards and with the following requirements:

- (A) Private streets shall have a minimum width of thirty-seven feet from back-of-curb to back-of-curb. Private streets with rolled curbs shall have a minimum width of thirty-nine feet.
- (B) Private streets shall meet the minimum construction standards for public streets.
- (C) Street name signs for private streets shall bear the words “privately maintained”, and shall be a color and design established by the City and in conformance with the Manual of Uniform Traffic Control Devices. The color of such a sign must differ distinctly from that used in connection with public streets.”

Public Works has no objection to the request for a Waiver of Title 18.12.100, as there appear to be no safety or traffic impact issues related to this request.

## **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 topography of the site and location of the parcel and scale of the project; therefore, approval of the Waiver is recommended. Additionally, the Department of Public Works has no objection to this Waiver request.

## **NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

3

## **ASSEMBLY DISTRICT**

4

## **SENATE DISTRICT**

9

**NOTICES MAILED**      340 by Planning Department

**APPROVALS**                      0

**PROTESTS**                      8



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **WVR-12368** APN: **137-12-301-009**  
Name of Property Owner: **Caballos De Oro Estates, LLC**  
Name of Applicant: **Eric Miller**

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

\_\_\_\_\_ Yes   X   No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

Signature of Property Owner/Authorized Agent: \_\_\_\_\_

Print Name: ANDY PHAM

Subscribed and sworn before me

This 21 day of February, 20 06

John W. Stoll Clark - Nevada  
Notary Public in and for said County and State











**PLAZA LEVEL PLAN**

RECEIVED  
 APR 06 2006  
**WVR-12368**  
**04/27/06 PC**  
**REVISED**

**ERIC MILLER ARCHITECT - AIA**  
 1000 LA POINTE AVENUE, SUITE 100  
 LAS VEGAS, NEVADA 89168  
 PHONE 702-887-0000

**Caballos de Oro**  
**CONDOMINIUMS**  
 LAS VEGAS, NEVADA

DRAWN BY: LHM  
 DATE: 11-30-05  
 REVIEWER:

ARCHITECTURAL  
**A1.2**  
 PLAZA LEVEL PLAN



**CURRAN & PARRY**  
**ATTORNEYS AT LAW**

300 SOUTH FOURTH STREET  
SUITE 1201  
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN  
STANLEY W. PARRY  
SUSAN L. JOHNSON  
JOSHUA H. REISMAN  
MAREN PARRY

TELEPHONE  
(702) 471-7000  
FACSIMILE  
(702) 471-7070  
E-MAIL  
curranparry@curranparry.com

March 14, 2006

Doug Rankin  
CITY OF LAS VEGAS  
DEVELOPMENT SERVICES CENTER  
731 South 4th Street  
Las Vegas, NV 89101

**RE: Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows  
APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

**WVR-12368**

**04/27/06 PC**

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

**WVR-12368**  
**04/27/06 PC**

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

**WVR-12368**  
**04/27/06 PC**



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

# Telephone Protest/ Approval Log

Meeting Date: 04/27/06

Case Number: SDR-11034

WVR-12368, VARI-11030, MDZ-11027

Date: 04/17/06  
Name: LOIS FRETZ  
Address: 3411 Cactus mnt St  
L.V. NV 89128  
Phone: 255-1747



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

ITEM # 29

CASE # WVR-12368

PC

4.27.06

MEETING

P

PLANNING + Development Dept,

APR 18 2006

I have an objection to: SDR-11034

VAR-11030

ZON 11031

MOD-11027

WVR-12368

I Live across in Cliff Shadow & was told that  
No Building would be done across Cliff Shadow Pkwy.

I purchased my home paid extra for Mountain View.

I don't want to see Houses built in this Area.

Original a park was scheduled across from our unit

THANK YOU  
Harvey Langer



ITEM #

29

CASE #

WVR-12368

PC MEETING

4.27.06

P



# Telephone Protest/ Approval Log

MOD-11027

Meeting Date: 4/27/06

Case Number: VAR-11030

SDR-11034, ZCN-11031 LOVETE

Date: 4/26/06  
Name: Peter A Militano  
Address: 3545 Cactus Street  
Las Vegas, NV 89129 #202  
Phone: 889-8669  
☒ 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

ITEM # 29  
CASE # WR-12308  
PC MEETING 4.27.06

P

Samuel A Fitch, Jr.  
8701 W. Behrend Drive  
Peoria, Arizona 85382

RECEIVED  
APR 25 2006

Planning & Development  
Current Planning Division  
Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

Attention: Mr. Gary Leobold  
Planning Supervisor

Subject: MOD-11027, WVR-12368, ZON-11031, VAR-11030,  
SDR-11034

Dear Sir:

As owner of Condominium Unit No. 101 at 3500 Cactus Shadow Rd., I wish to object to the changes proposed by Mr. Eric Miller in the subject numbered documents. The subject property should remain as is.

Very truly yours,

  
Samuel A. Fitch, Jr.  
623-566-2284

READ INTO  
THE RECORD

ITEM # 27-31  
CASE # \_\_\_\_\_  
PC MEETING 4.27.06

P

April 26, 2006

Las Vegas Planning and Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Dear Sir or Madam:

I would like to express my opposition to several items going before the Planning Commission on April 27<sup>th</sup>, 2006. The items are MOD-11027, SDR-11034, VAR-11030, ZON-11031 and WVR-12368.

I oppose all the items on the following grounds:

When I purchased a home in the area of Cheyenne and the 215 Beltway, in the shadow of the mountains, it was largely because of the natural landscape, it is at the edge of the city limits, at the base of a mountain and would be less likely to become as over built as some of the areas in the Las Vegas valley. The original master plan for the area also called for a park and trailhead to the Southwest going up into the canyons and foothills, a sign at the curve of Cliff Shadows Parkway indicated as much. If I'm not mistaken, that area has now been largely rezoned for light commercial. I urge the commission to retain the original master plan and give the community a park and trailhead in that area.

The subject property is behind two medium sized commercial properties at the base of a very steep mountain. On the Northwest side of the subject property, adjacent to the commercial property at 3455 Cliff Shadows Pkwy, the space between the mountain and the property is extremely limited and by my layman's estimate does not provide sufficient space to put another building without cutting into the mountain. The area of McDonald Highlands in Henderson, NV is a stark example of destroying the natural beauty of the landscape in an effort to put a building on every square inch of "usable" land. I urge the City of Las Vegas to not repeat the City of Henderson's mistake.

Thank you for your consideration,



Neil Henderson  
Owner Resident  
Cliff Shadows Condominium Association

**READ INTO  
THE RECORD**

APR 27 2006

ITEM # 27-31

CASE # \_\_\_\_\_

PC MEETING 4-26-06 PC

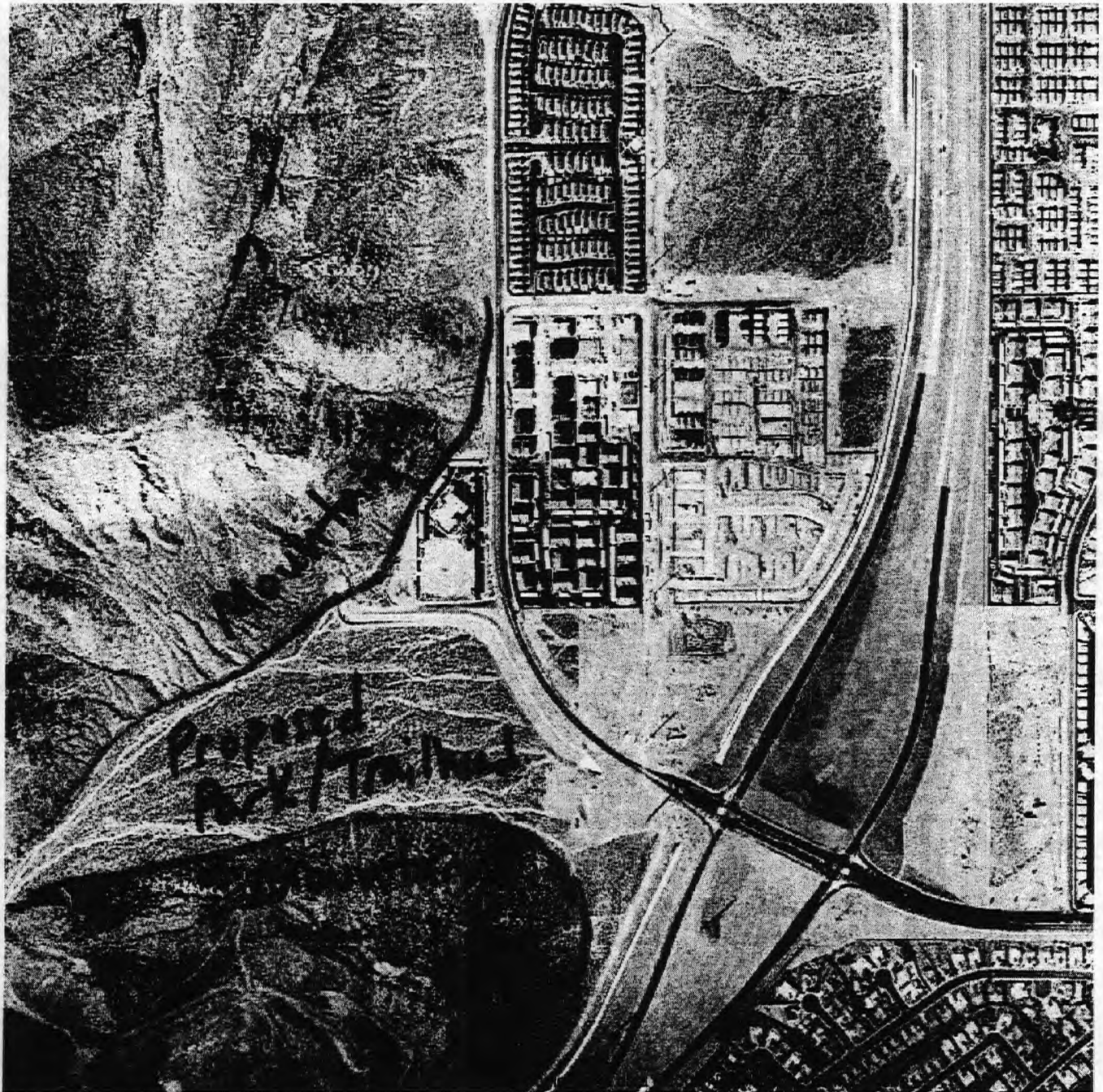
P



Google



Google  
Maps





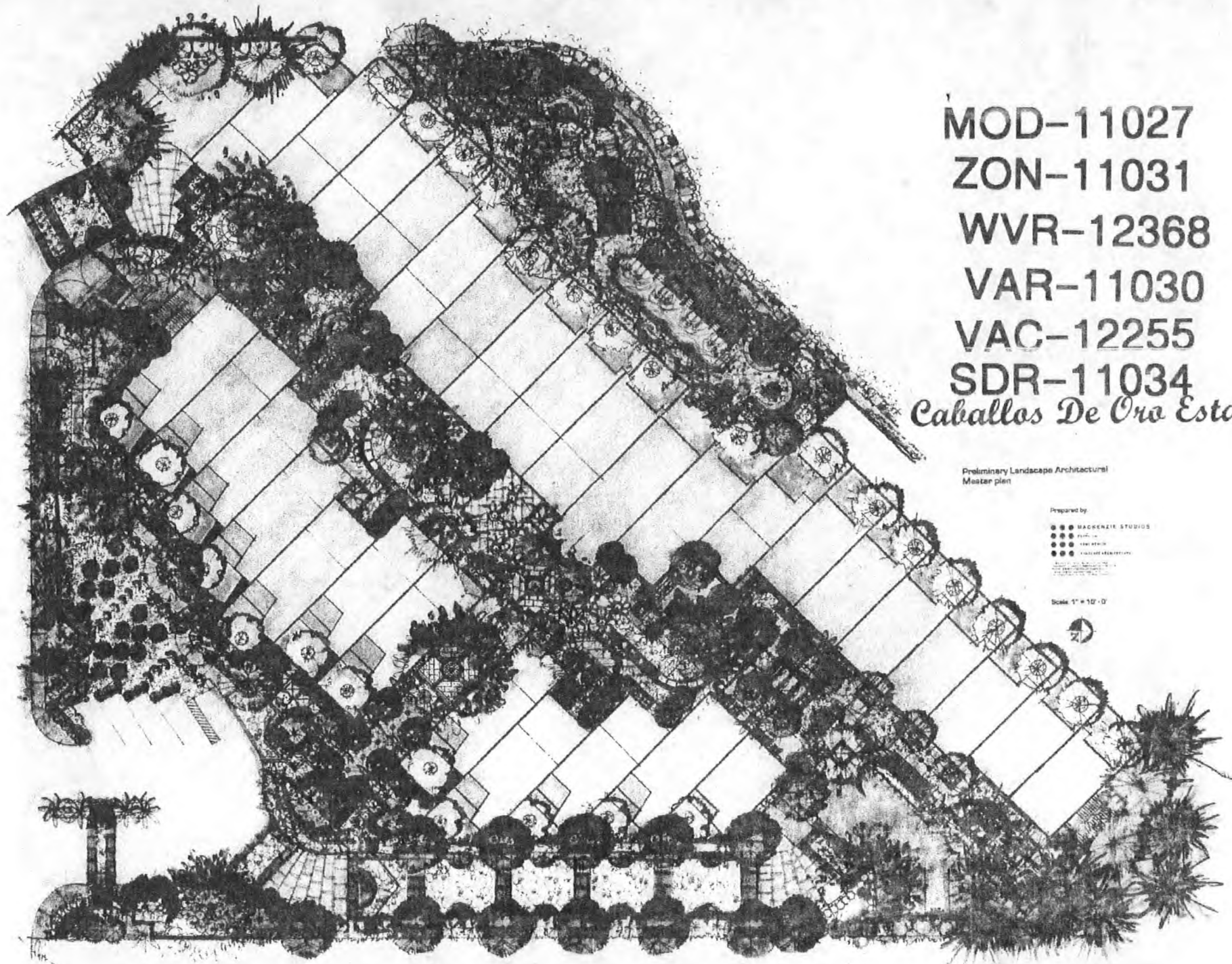
MOD-11027  
ZON-11031  
WVR-12368  
VAR-11030  
VAC-12255  
SDR-11034  
*Caballos De Oro Estates*

Preliminary Landscape Architectural  
Master plan

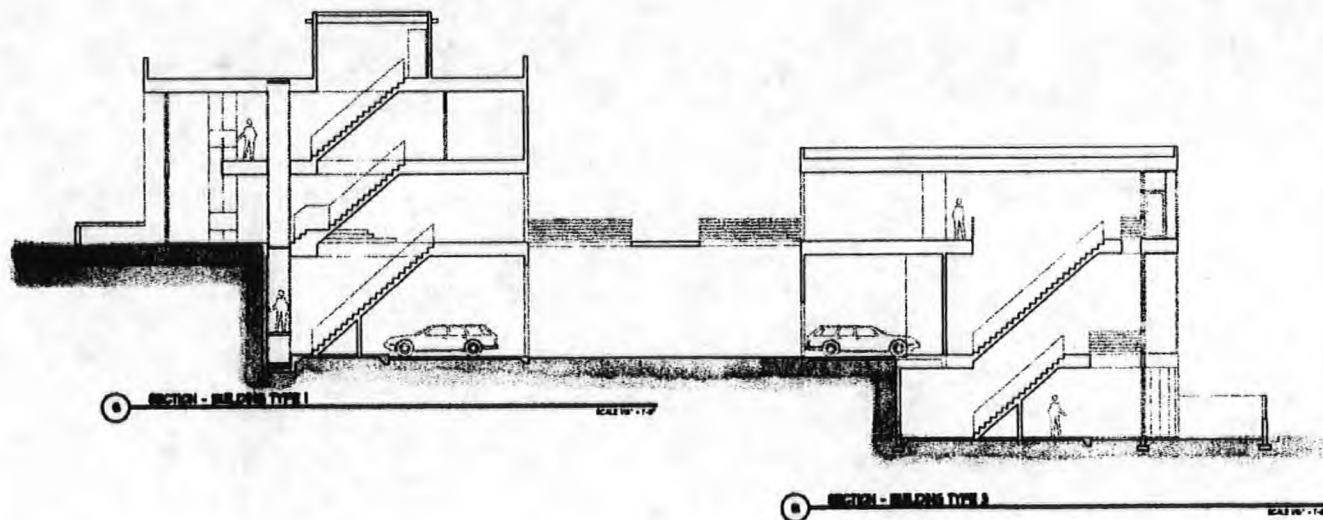
Prepared by

● ● ● BACKENIE STUDIOS  
● ● ● FIRM  
● ● ● FIRM  
● ● ● FIRM

Scale 1" = 10' - 0"



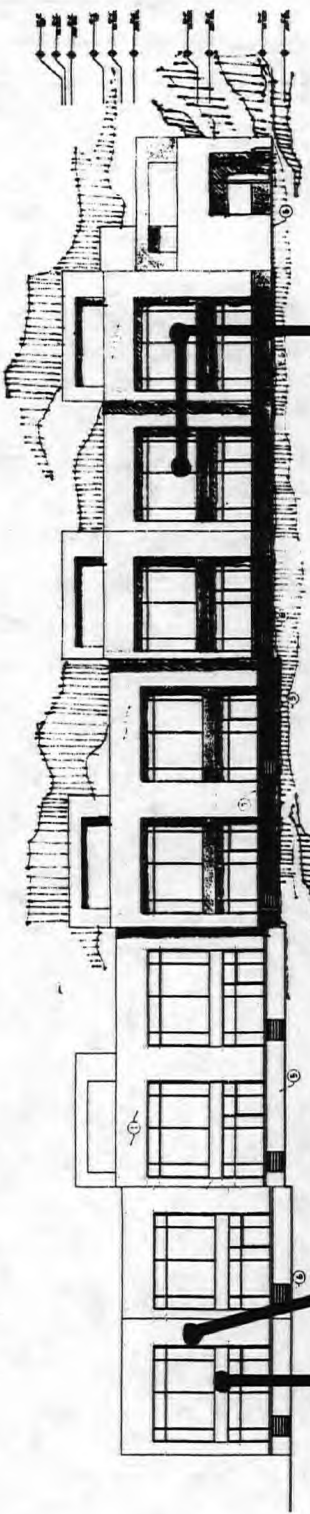




|                                                                                                                                                                 |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------|--|
|                                                                                                                                                                 |  |
| <b>ERIC MILLER ARCHITECT AIA</b><br><small>1000 S. MAIN STREET, SUITE 200<br/>     LAS VEGAS, NEVADA 89101<br/>     TEL: 702.251.1111 FAX: 702.251.1112</small> |  |
| <b>Caballos de Oro</b><br><b>CONDOMINIUMS</b><br><b>LAS VEGAS NEVADA</b>                                                                                        |  |
| <small>DRAWN BY: LCH<br/>         DATE: 5-30-06<br/>         PROJECT:</small>                                                                                   |  |
| <b>ARCHITECTURAL</b><br><b>A5.2</b><br><b>BUILDING SECTIONS</b>                                                                                                 |  |

MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

City of Las Vegas Planning Commission  
 Date 5/25/06 Item #15-20



BUILDING 2 - REAR ELEVATION

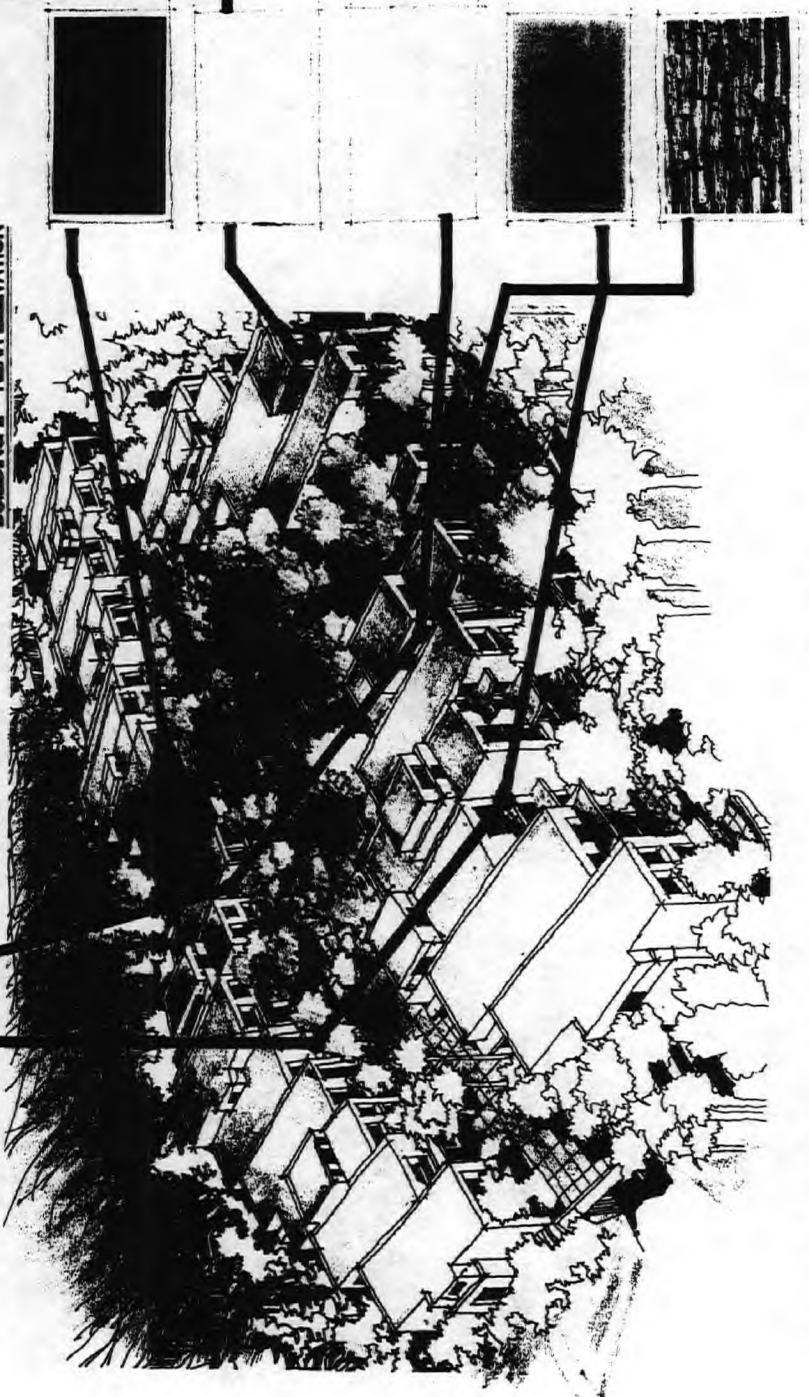
DUNN-EDWARDS  
DE G062  
TEA BAG  
LRV 12

DUNN-EDWARDS  
DE G303  
SKY GLASS  
LRV 64

DUNN-EDWARDS  
DE G156  
MARBLE DUST  
LRV 73

DUNN-EDWARDS  
DE G221  
FLINSTONE  
LRV 43

CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001



ERIC MILLER ARCHITECT AIA  
1000 N. PORT AVENUE, SUITE 100  
LAS VEGAS, NEVADA 89101  
PHONE (702) 887-7544

Caballos de Oro  
CONDOMINIUMS

LAS VEGAS  
NEVADA

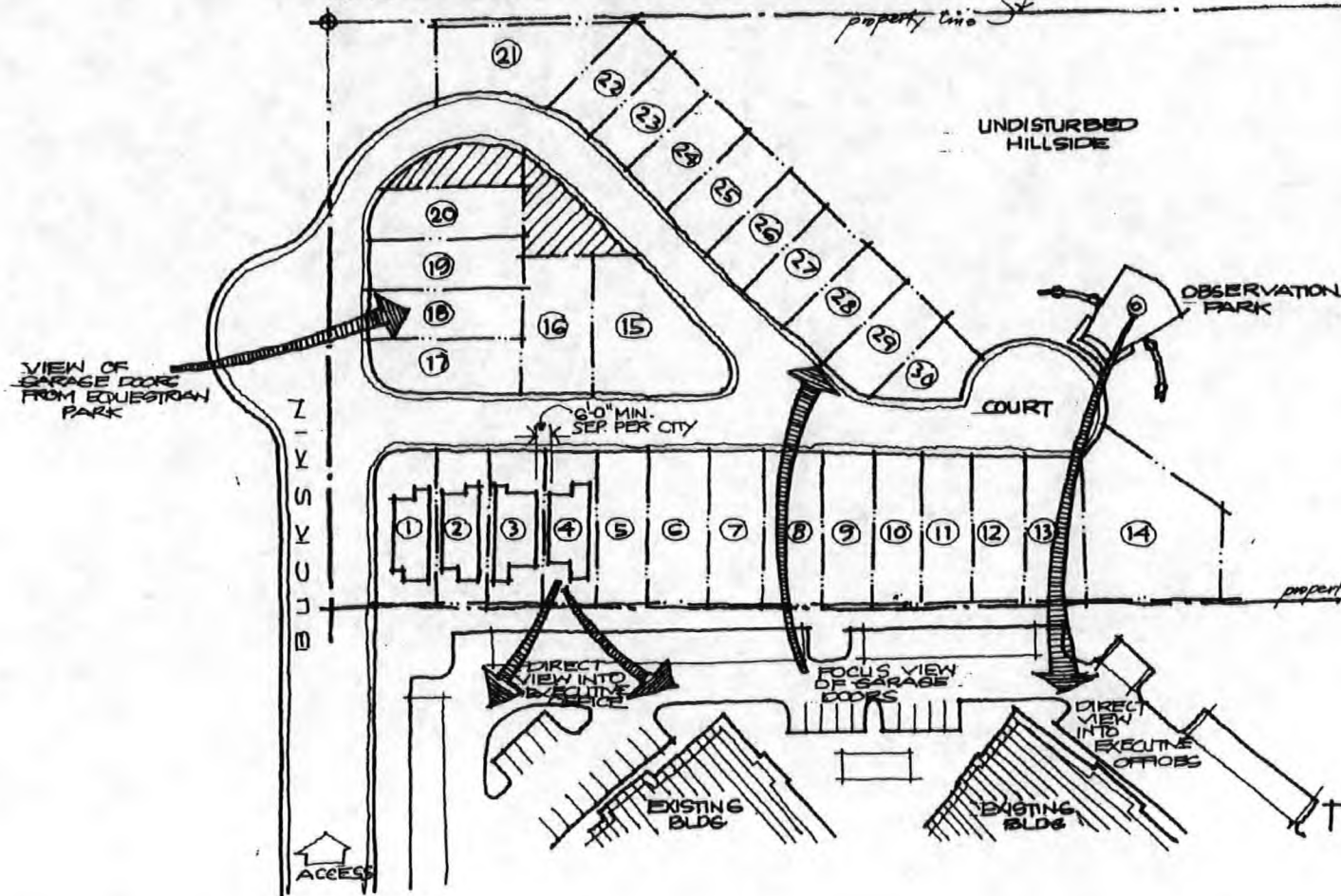
DESIGNED BY  
ERIC MILLER  
LAS VEGAS

A42  
BUILDING  
ELEVATIONS

MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034

# CONCEPTUAL PLAN

SINGLE FAMILY DETACHED EMA 05-23-06 NTS



MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

VARIANCE RELATED TO ZON-11031, MOD-11027 AND WVR-12368

VAR-11030 - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES LLC - Request for a Variance TO ALLOW A MAXIMUM BUILDING HEIGHT OF 44 FEET WHERE 35 FEET IS THE MAXIMUM HEIGHT ALLOWED FOR A PROPOSED ATTACHED SINGLE-FAMILY DEVELOPMENT on 5.0 acres west of the intersection of Cheyenne Avenue and the I-215 Beltway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] [PROPOSED: PD (Planned Development) Zone] [L (Low Density Residential) Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="8"/> |
| City Council Meeting     | <input type="text" value="4"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Protest by Harvey and Brenda Langer
6. Submitted after final agenda - Protests by Peter A. Militano Jr. and Russell and Gail Perry
7. Submitted after final agenda - Abeyance request by Curran and Parry for Items 133 through 138 filed under Item 133
8. Backup referenced from the 05/25/06 Planning Commission meeting Item 18

**MOTIONS:**

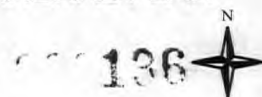
REESE - HOLD IN ABEYANCE Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and STRIKE Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - UNANIMOUS

**MINUTES:**

There was no discussion.

(1:28 - 1:30)

3-15



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: VAR-11030 - APPLICANT: ERIC MILLER - OWNER:**  
**CABALLOS DE ORO ESTATES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Major Modification (MOD-11027), Rezoning (ZON-11031), Title 18 Waiver (WVR-12368), Vacation (VASC-12368) and Site Development Plan Review (SDR-11034) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Variance to allow a maximum building height of 44 feet where 35 feet is the maximum height allowed, for a 30-unit attached single-family development on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Title 18 Waiver (WVR-12368), a Vacation (VAC-12255) and a Site Development Plan Review (SDR-11034) have been submitted concurrently.

**EXECUTIVE SUMMARY**

The applicant intends to build 30 attached single-family townhome-style units developed with a common parking access area and common facilities such as an outdoor pool and a clubhouse, on a site within the Plan area that is currently designated as L (Low Density Residential). The applicant intends to develop this project on a site that is severely topographically constrained, and develop this project within the allowed density for this area; however, since only approximately half of the site is developable, the applicant is seeking relief from the Plan limit of two stories on the site, in order to produce workable units as part of an integrated project. The applicant also requires relief from maximum building height limits. The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.

- 12/06/00 The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.
- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, WVR-12368, VAC-12255 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #18/gl).

***B) Pre-Application Meeting***

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

**C) Neighborhood Meetings**

02/02/05 A neighborhood meeting is not required for a Variance application; however, one was required for companion request Major Modification MOD-11027.

The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

**DETAILS OF APPLICATION REQUEST**

**A) Site Area**

Gross Acres: 5.0

**B) Existing Land Use**

Subject Property: Undeveloped  
North: Undeveloped  
South: Undeveloped (park under design and development)  
East: Office Building  
West: Red Rock Canyon National Conservation Area

**C) Planned Land Use**

Subject Property: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation



North: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation

South: PCD (Planned Community Development)  
P (Parks, Schools, Recreation, Open Space) Lone Mountain West Special Land Use Designation

East: PCD (Planned Community Development)  
VC (Village Commercial) Lone Mountain West Special Land Use Designation

West: (RC) Resource Conservation

**D) Existing Zoning**

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

North: U (Undeveloped) [PCD (Planned Community Development)]

South: C-V (Civic)

East: PD (Planned Development)  
U (Undeveloped) [PCD (Planned Community Development)] under Resolution of Intent to PD (Planned Development)

West: Clark County

**E) General Plan Compliance**

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

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

**Lone Mountain West Master Development Plan**

The proposed development is not in compliance with the Lone Mountain Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through this request and through companion Major Modification (MOD-11027).

**Trails**

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail along the northern edge of the proposed development.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

Pursuant to the Lone Mountain West Master Development Plan and Title 19.08, the following Development Standards apply to the subject proposal:

| Standards            | Required            | Requested         | Compliance |
|----------------------|---------------------|-------------------|------------|
| Max. Building Height | 2 Stories / 35 Feet | 3 Stories/38 Feet | N          |

The Lone Mountain West Master Development Plan limits building height within the L (Low Density Residential) special land use designation to two stories. A companion request for a Major Modification to the Plan (MOD-11027) will address this issue by allowing three stories in height for attached single-family products in the L designation. Title 19.08 limits single-family dwelling building height to 35 feet. This requested Variance would allow this project to exceed the maximum single-family height by nine feet, for a total maximum building height of 44 feet. The subject deviation is 20%.

### B) *General Analysis and Discussion*

The request is for a Variance to allow 44-foot tall attached single-family units on a five-acre site within the Lone Mountain West Master Development Plan. It should be noted that this is a maximum situation on the downhill side of these units, in which these attached units are spread across a hillside. Many of these units have a maximum height significantly lower than this height, and in fact much of the development when viewed from the uphill side is two stories in height and less than 35 feet in height.

There are no adjacent or nearby residential developments in the Plan area that would be negatively affected by this excess height. The applicant has presented evidence of a unique or extraordinary circumstance to justify the request, in the form of a site with severe topographical constraints and limitations. As a result, the request can be supported and approval is recommended.

## FINDINGS

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

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

Additionally, Title 19.18.070L states:

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

The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms, as referenced in Title 19.18.070L above. Accordingly, it is concluded that the applicant's hardship is real, and it is thereby within the realm of NRS Chapter 278 for granting of Variances. Approval is recommended.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 345 by City Clerk

**APPROVALS** 0

**PROTESTS** 8





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-11030** APN: **137.12.301.009**  
Name of Property Owner: **CABALLOS DE ORO ESTATES, LLC**  
Name of Applicant: **ERIC MILLER ARCHITELT**

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: \_\_\_\_\_

Print Name: **ANDY PHAM**

Subscribed and sworn before me

This 15 day of December, 20 05

John W. Stoll  
Notary Public in and for said County and State



30' ROW TO BE DEDICATED  
FOR POSSIBLE FUTURE ROAD  
(CAN BE LANDSCAPED NOW)

DRAINAGE  
CULVERT

N01°06'26"W - 631.54'

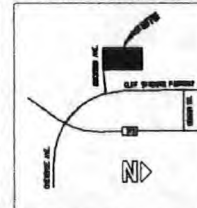
CLARK COUNTY  
CITY OF LAS VEGAS

NO PERIMETER  
FENCING  
TYPICAL BALANCE OF  
HEIGHT  
PROPOSED NEW  
DECORATIVE  
BROUGHT IRON POOL/  
SECURITY FENCING  
NOT TO EXCEED 6'-0"  
MAXIMUM HEIGHT

# SITE DATA

SITE AREA: NET = 31,148 S.F. 4.98 A.  
LOT COVERAGE: 44,308 S.F. BUILDING / 107,148 S.F. = 28.4%  
42,200 S.F. PAVING / 107,148 S.F. = 39.4%  
TOTAL: 86,408 S.F.  
SITE COVERAGE: 30 UNITS / 1.18 A. = 25.4 U/A  
PARKING: REQUIRED 1/UNIT = 30 SPACES  
WEST 1/4 UNITS = 5 SPACES  
30 SPACES TOTAL  
PROPOSED: UNITS = 60 GAR. SPACES  
WEST = 12 SPACES  
72 SPACES TOTAL

# SITE LOCATION



Equestrian / Pedestrian  
Trail / Sewer Easement

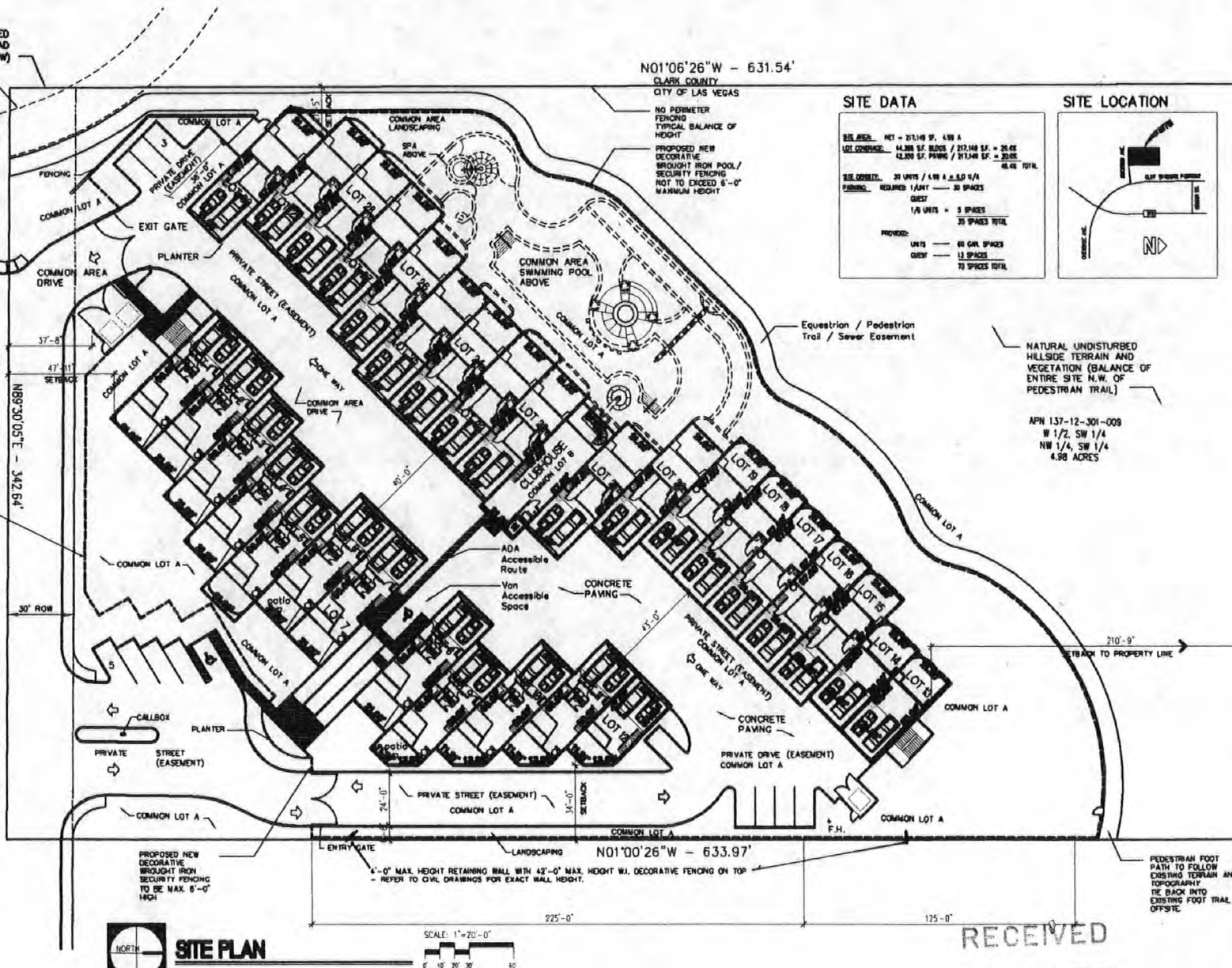
NATURAL UNDISTURBED  
HILLSIDE TERRAIN AND  
VEGETATION (BALANCE OF  
ENTIRE SITE N.W. OF  
PEDESTRIAN TRAIL)

APN 137-12-301-009  
W 1/2, SW 1/4  
NW 1/4, SW 1/4  
4.98 ACRES

PROPOSED NEW  
DECORATIVE  
BROUGHT IRON  
SECURITY FENCING  
TO BE MAX. 6'-0"  
HIGH

APN 137-12-401-001  
UNDEVELOPED

BUCKSKIN AVENUE (PUBLIC)



SITE PLAN

SCALE: 1"=20'-0"

RECEIVED

APR 20 2006

VAR-11030 REVISED

04/27/06 PC



ERIC MILLER ARCHITECT AIA  
1000 N. POINT APACHE ROAD  
LAS VEGAS, NEVADA 89168  
PHONE 702-497-7000

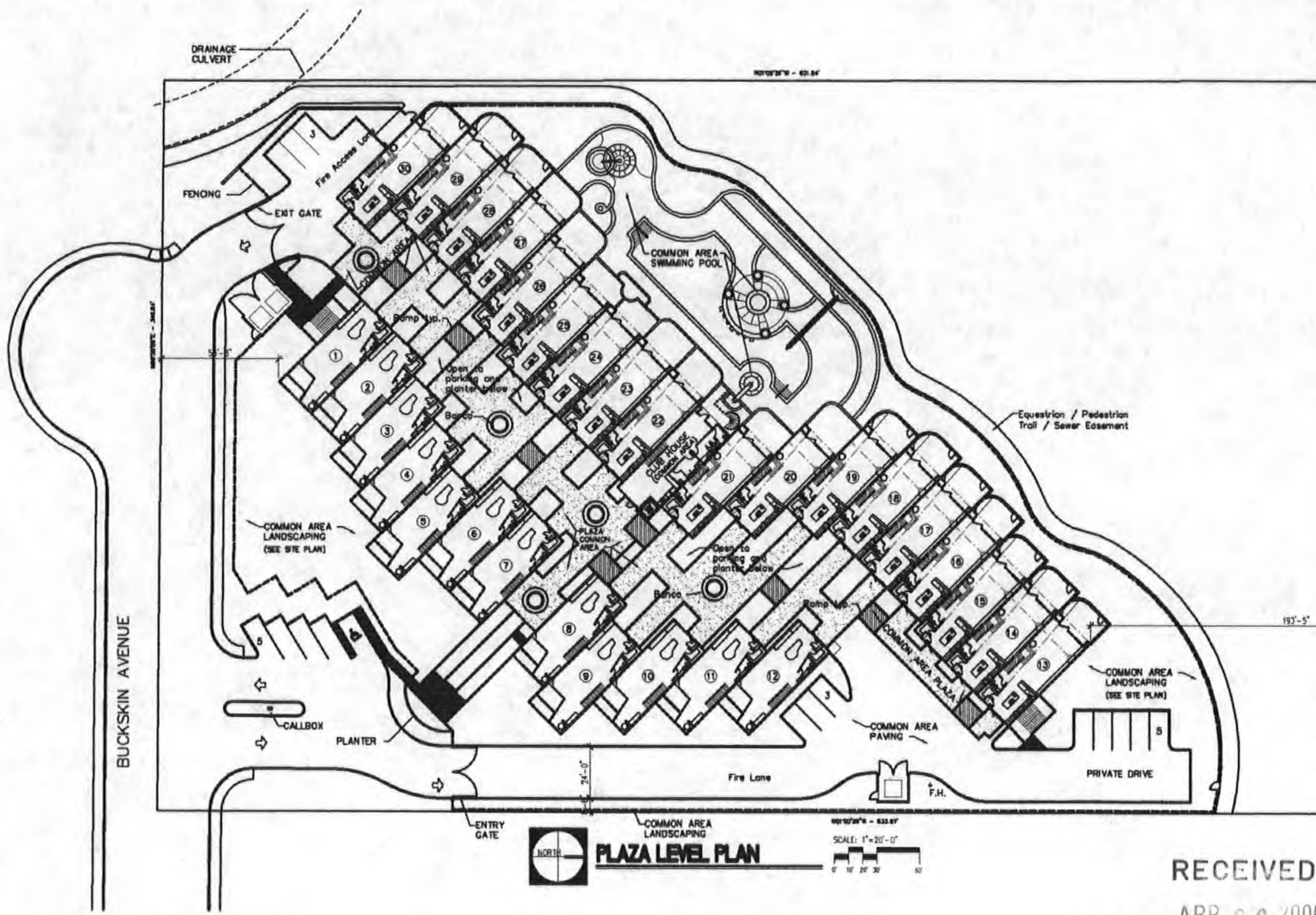
Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS  
NEVADA

DRAWN BY: LSH  
DATE: 04-20-06  
REVISIONS:

ARCHITECTURAL  
A11  
SITE PLAN







**PLAZA LEVEL PLAN**

SCALE: 1"=20'-0"  
0' 10' 20' 30' 40'

RECEIVED

APR 06 2006

**VAR-11030**  
**04/27/06 PC**  
**REVISED**


**ERIC MILLER ARCHITECT - AIA**  
1000 S. CENT. AVENUE, SUITE 200  
LAS VEGAS, NEVADA 89102

**Caballos de Oro**  
**CONDOMINIUMS**  
LAS VEGAS, NEVADA

DRAWN BY: LSH  
DATE: 11-30-05  
REVISIONS:

**ARCHITECTURAL**  
**A1.2**  
**PLAZA LEVEL PLAN**

**CURRAN & PARRY**  
ATTORNEYS AT LAW

300 SOUTH FOURTH STREET  
SUITE 1201  
LAS VEGAS, NEVADA 89101

WILLIAM P. CURRAN  
STANLEY W. PARRY  
SUSAN L. JOHNSON  
JOSHUA H. REISMAN  
MAREN PARRY

TELEPHONE  
(702) 471-7000  
FACSIMILE  
(702) 471-7070  
E-MAIL  
curranparry@curranparry.com

March 14, 2006

Doug Rankin  
CITY OF LAS VEGAS  
DEVELOPMENT SERVICES CENTER  
731 South 4th Street  
Las Vegas, NV 89101

RE: **Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows**  
**APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

ZON-11031 WVR-12368

MOD-11027

VAR-11030 SDR-11034

04/27/06 PC

RECEIVED

MAR 14 2006

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

ZON-11031    WVR-12368  
                 MOD-11027  
VAR-11030    SDR-11034  
                 04/27/06 PC



Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

ZON-11031    WVR-12368  
MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC

6/12/06

City Clerk,

I have an objection as to  
a 44th Building VAR-1103 constantly  
ACROSS CLIFF SHADOWS Pkwy - It would  
be an eye-sore. I paid a premium  
extra for a MOUNTAIN VIEW.

Me + My wife Brenda Vote NO

Thank You  
Harvey + Brenda Langer



RECEIVED  
CITY CLERK

2006 JUN 13 A 10:2

Protest

City Council Chambers  
400 Stewart Ave  
Las Vegas, Nevada

16 June 2006

I Peter A. Militano Jr. @ 3545 Cactus Shadow St #202 Las Vegas, Nv 89129, Wish to oppose  
the VAR-11030.

Thank You  
Peter A. Militano Jr.

Protest

RECEIVED  
CITY CLERK

2006 JUN 16 A 7:57

Submitted after final agenda

Date 6/16/06 Item #136



June 18, 2006

RECEIVED  
CITY CLERK

Russell and Gail Perry  
P.O. Box 382  
Hamel, IL 62046

2006 JUN 20 A 11: 03

City Clerk  
1st Floor, City Hall  
400 Stewart Avenue  
Las Vegas, NV 89101

Re: Var-11030, Caballos de Oro Estates, LLC

Dear Clerk,

This letter is to register our objection to the granting of the above variance to allow a building height of 44 feet instead of maintaining the present 35 feet maximum. We object for the following reasons:

- To date other developers in this area have been able to build profitably adhering to the 35 feet maximum. There should be no reason why this developer cannot do the same.
- Since this property is to the west and uphill from our property (at Cliff Shadows) it would definitely detract from the aesthetic value, and therefore the financial value, of our property.
- Chapter 19.18.070.B.2 of the Las Vegas Zoning Ordinance states that a variance "shall not be granted in order to relieve a hardship which is solely personal, self-created or financial in nature."

It seems to us that requesting to build taller in order to make more units is financial in nature. If the property is purchased already, then the developer did not do his homework. It is not the City Council's duty to bail him out. If the property is just under option, the developer needs to make it work with the current regulations or move on.

This letter is to request that the City Council deny the variance request and maintain its current standard at 35 feet.

Sincerely,

*Russell Perry*  
*Gail Perry*  
Russell and Gail Perry

Protest

Cc: Cliff Shadows Homeowners Association

Submitted after final agenda

Date 6/20/06 Item #136

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

# Telephone Protest/ Approval Log

Meeting Date: 04/27/06

Case Number: SDR-11034

WVR-12368, VAR-11030, MD-11027

Date: 04/17/06  
Name: LOIS FRETZ  
Address: 3411 Cactus mead St  
L.V. NV 89128  
Phone: 255-1747



PROTEST



APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



PROTEST



APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



PROTEST



APPROVE

Date: \_\_\_\_\_  
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Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



PROTEST



APPROVE

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Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



PROTEST



APPROVE

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Address: \_\_\_\_\_  
Phone: \_\_\_\_\_



PROTEST



APPROVE

ITEM # 30  
CASE # VAR-11030

PC MEETING 4-27-06

P



PLANNING + Development Dept,

APR 18 2006

I have an objection to SDR-11034

VAR-11030

ZON 11031

MOD-11027

WVR-12368

I Live across in Cliff Shadow & was told that  
No Building would be done across Cliff Shadow Pkwy.

I purchased my home paid extra for mountain View.

I don't want to see Houses built in this area.

Original a park was scheduled across from our unit

THANK YOU  
Harvey Langer



ITEM # 30  
CASE # VAR-11030  
PC MEETING 4.27.06

P

# Telephone Protest/ Approval Log

MOD-11027

Meeting Date: 4/27/06

Case Number: VAR-11030

SDR-11034, ZCN-11031 LOVETE

Date: 4/26/06  
Name: Peter H Militano  
Address: 3545 Cactus Shredder  
Las Vegas, NV 89129 #202  
Phone: 889-8669  
☒ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

ITEM # 70

CASE # VAR-11030

PC MEETING 4.27.06

P

Samuel A Fitch, Jr.  
8701 W. Behrend Drive  
Peoria, Arizona 85382

RECEIVED  
APR 25 2006

Planning & Development  
Current Planning Division  
Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

Attention: Mr. Gary Leobold  
Planning Supervisor

Subject: MOD-11027, WVR-12368, ZON-11031, VAR-11030,  
SDR-11034

Dear Sir:

As owner of Condominium Unit No. 101 at 3500 Cactus Shadow Rd., I wish to object to the changes proposed by Mr. Eric Miller in the subject numbered documents. The subject property should remain as is.

Very truly yours,



Samuel A. Fitch, Jr.  
623-566-2284

READ INTO  
THE RECORD

ITEM # 27-31  
CASE # \_\_\_\_\_  
PC MEETING 4.27.06

P



April 26, 2006

Las Vegas Planning and Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Dear Sir or Madam:

I would like to express my opposition to several items going before the Planning Commission on April 27<sup>th</sup>, 2006. The items are MOD-11027, SDR-11034, VAR-11030, ZON-11031 and WVR-12368.

I oppose all the items on the following grounds:

When I purchased a home in the area of Cheyenne and the 215 Beltway, in the shadow of the mountains, it was largely because of the natural landscape, it is at the edge of the city limits, at the base of a mountain and would be less likely to become as over built as some of the areas in the Las Vegas valley. The original master plan for the area also called for a park and trailhead to the Southwest going up into the canyons and foothills, a sign at the curve of Cliff Shadows Parkway indicated as much. If I'm not mistaken, that area has now been largely rezoned for light commercial. I urge the commission to retain the original master plan and give the community a park and trailhead in that area.

The subject property is behind two medium sized commercial properties at the base of a very steep mountain. On the Northwest side of the subject property, adjacent to the commercial property at 3455 Cliff Shadows Pkwy, the space between the mountain and the property is extremely limited and by my layman's estimate does not provide sufficient space to put another building without cutting into the mountain. The area of McDonald Highlands in Henderson, NV is a stark example of destroying the natural beauty of the landscape in an effort to put a building on every square inch of "usable" land. I urge the City of Las Vegas to not repeat the City of Henderson's mistake.

Thank you for your consideration,



Neil Henderson  
Owner Resident  
Cliff Shadows Condominium Association

**READ INTO  
THE RECORD**

APR 27 2006

ITEM # 27-31

CASE # \_\_\_\_\_

PC MEETING 4-26-06 PC

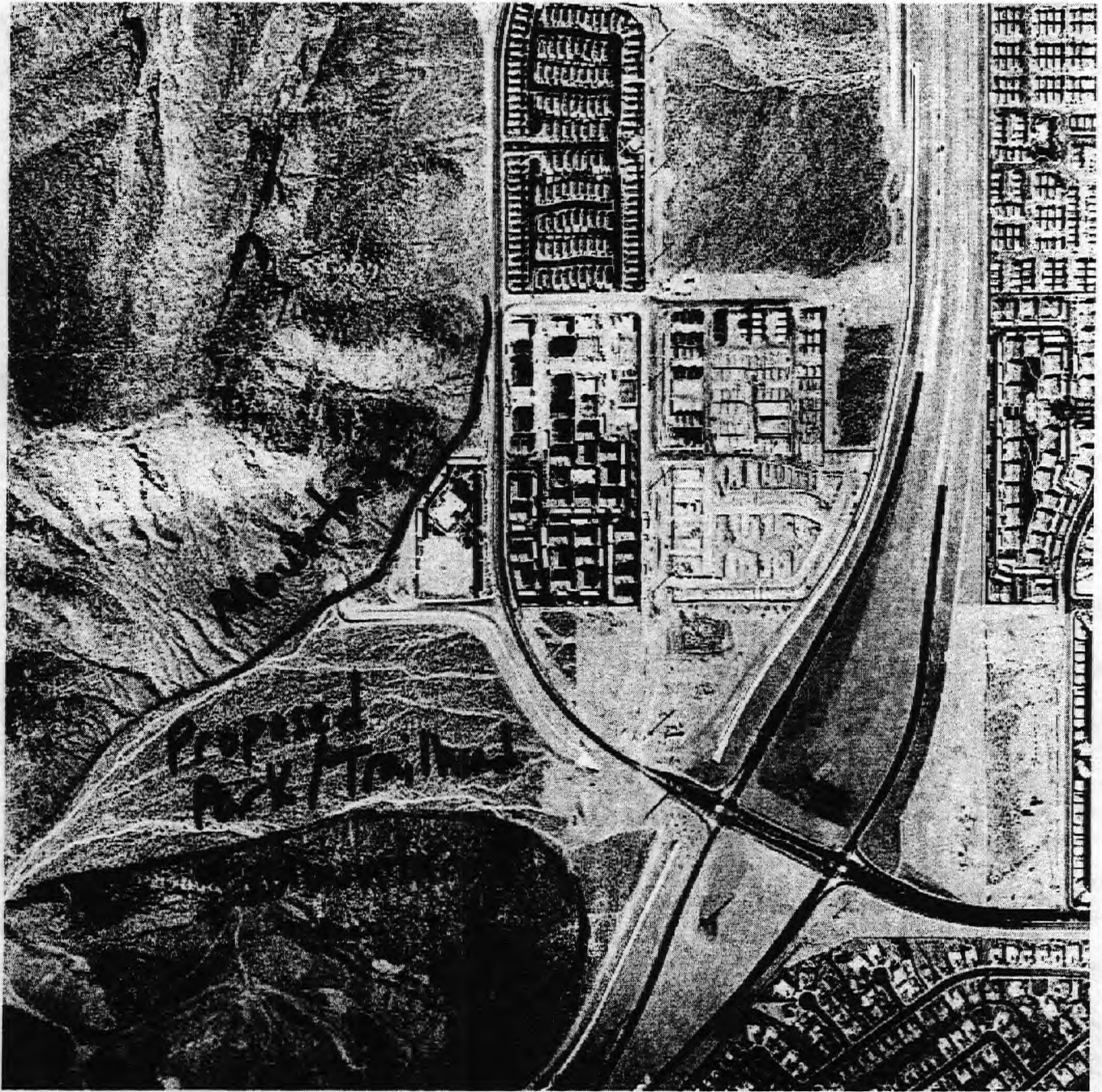
P

Google  
Maps

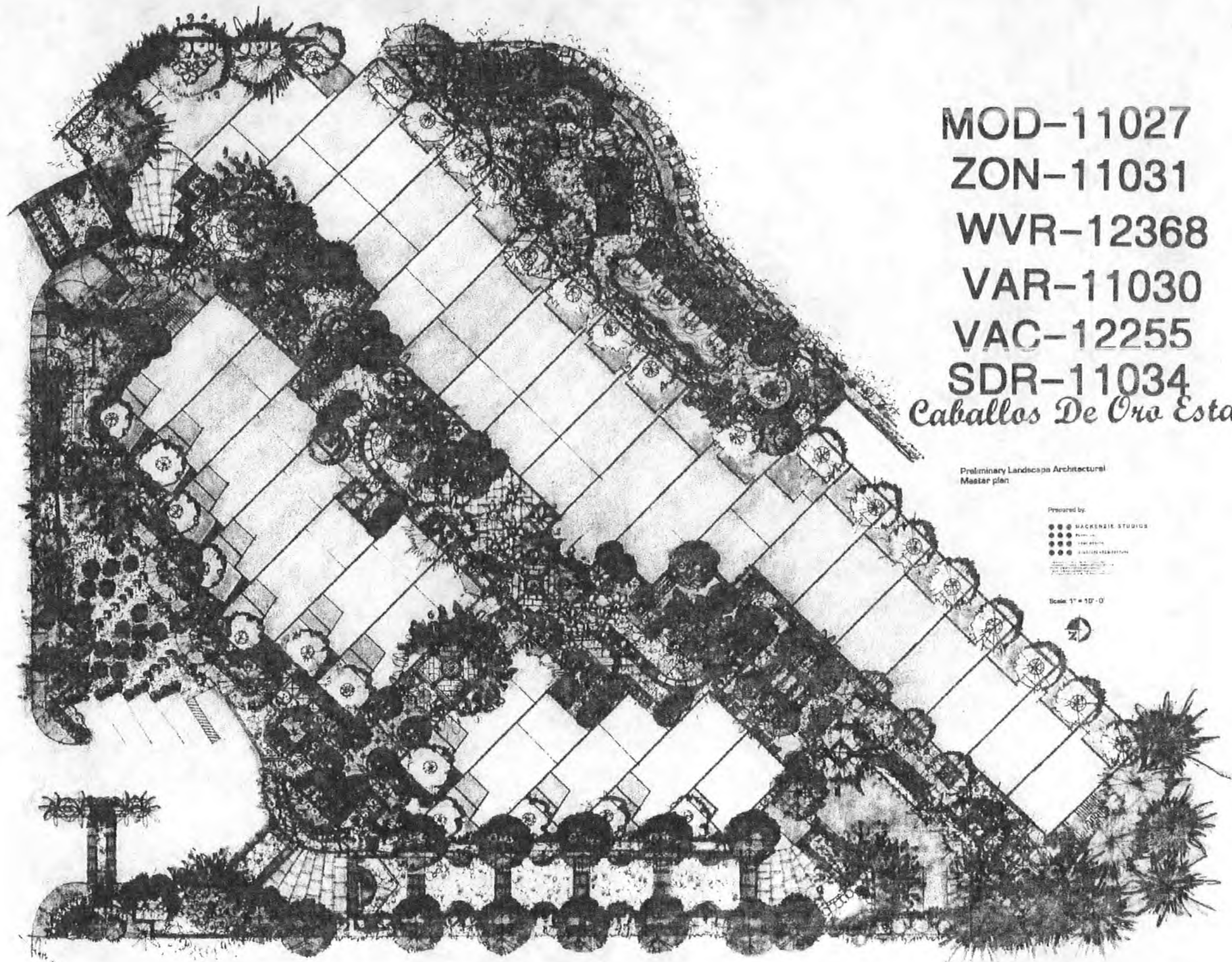




Google  
Maps







MOD-11027  
ZON-11031  
WVR-12368  
VAR-11030  
VAC-12255  
SDR-11034  
*Caballos De Oro Estates*

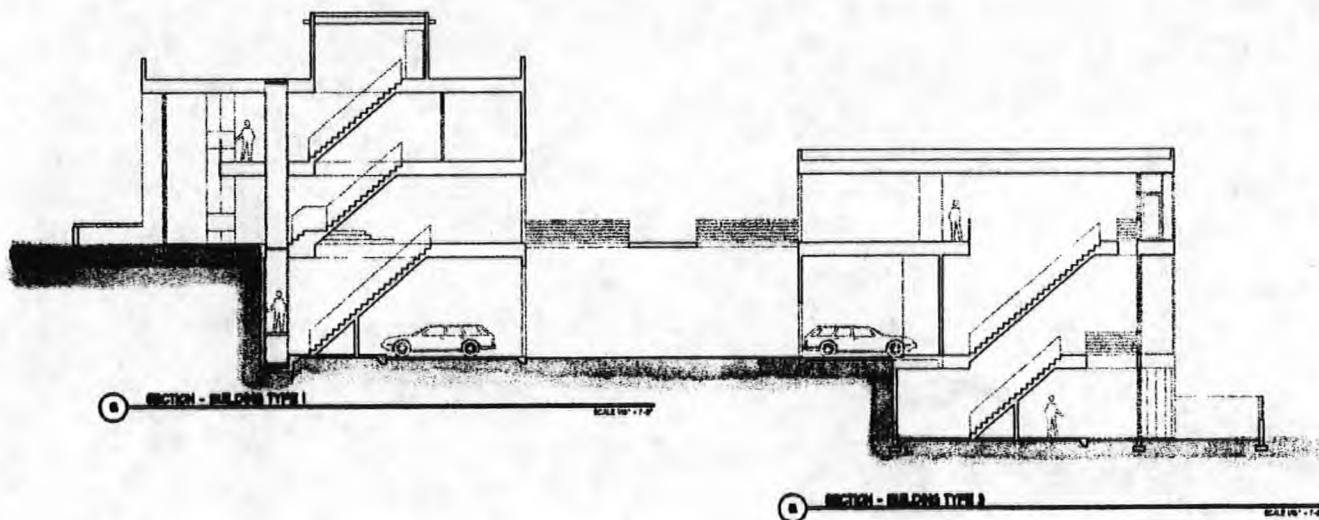
Preliminary Landscape Architectural  
Master plan

Prepared by:

••••• MACKENZIE STUDIOS  
••••• 1000 AVENUE  
••••• 2000 AVENUE  
••••• 3000 AVENUE

Scale: 1" = 10' - 0"





ERIC MILLER ARCHITECT AIA  
1000 S. RIVIERA DRIVE, SUITE 200  
LAS VEGAS, NEVADA 89101  
PHONE (702) 735-1111  
FAX (702) 735-1112

Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS NEVADA

DESIGNED BY LCH  
DATE 8-30-98  
REVISIONS

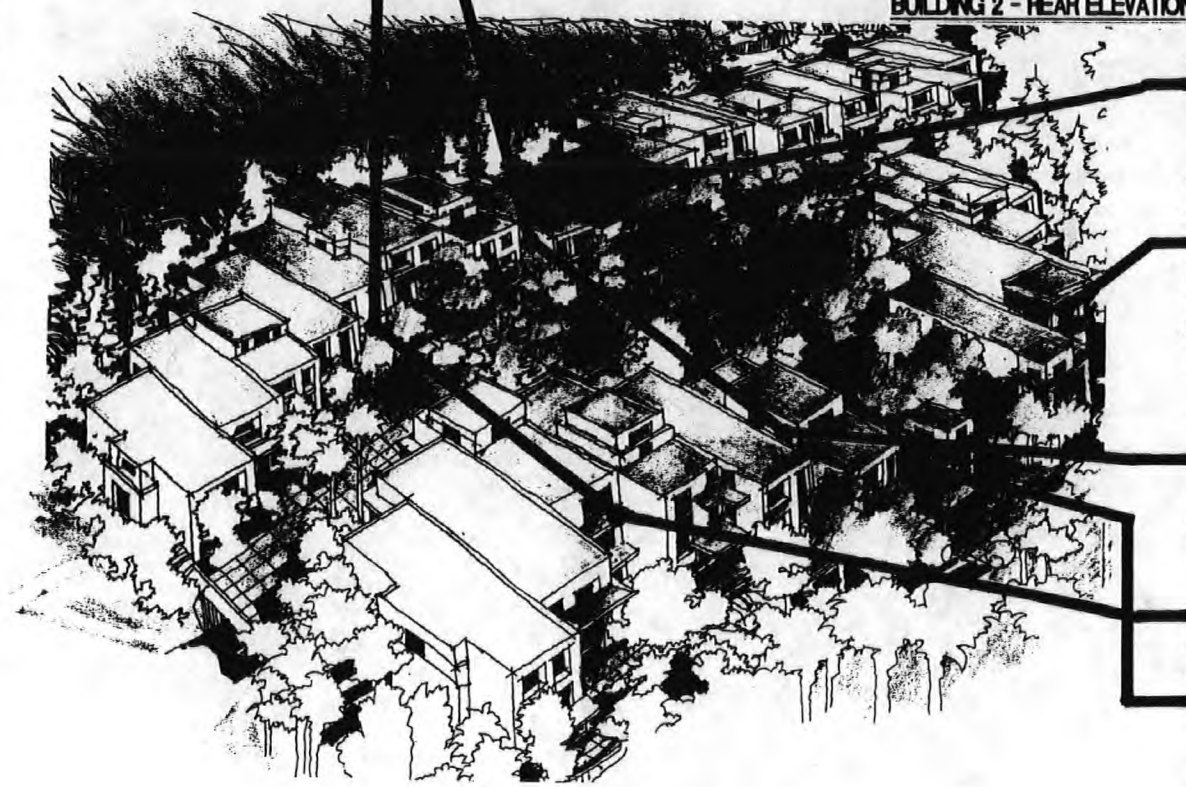
ARCHITECTURAL  
A5.2  
BUILDING SECTIONS

MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034

City of Las Vegas Planning Commission  
Date 5/25/06 Item #15-20



**BUILDING 2 - REAR ELEVATION**



DUNN-EDWARDS  
DE G062  
TEA BAG  
LRV 12



DUNN-EDWARDS  
DE G303  
SKY-GLASS  
LRV 64



DUNN-EDWARDS  
DE G156  
MARBLE DUST  
LRV 73



DUNN-EDWARDS  
DE G221  
FLINSTONE  
LRV 43



CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001

MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034


**ERIC MILLER ARCHITECT - AIA**  
1000 S. PORT AVENUE ROAD  
LAS VEGAS, NEVADA 89108  
PH: 702.735.7770

Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS    NEVADA

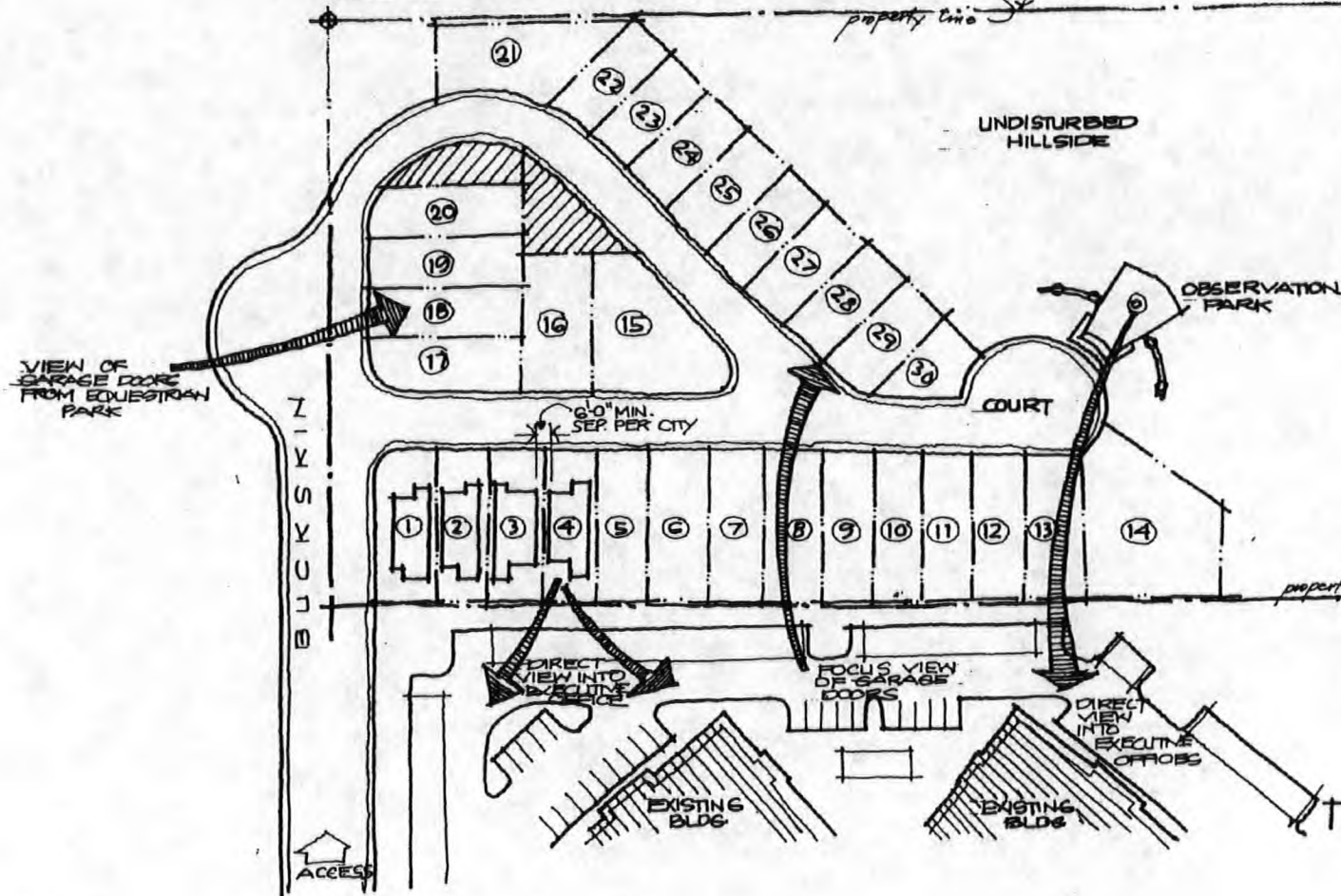
DRAWN BY: LCP  
DATE: 1-26-05  
REVISIONS:

ARCHITECTURAL  
**A4.2**  
BUILDING 2  
ELEVATIONS



# CONCEPTUAL PLAN

SINGLE FAMILY DETACHED EMA 05-23-06 NTS



MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

VACATION RELATED TO MOD-11027, ZON-11031, WVR-12368, AND VAR-11030

VAC-12255 - PUBLIC HEARING - APPLICANT: ERIC MILLER ARCHITECTS - OWNER: CABALLOS DE ORO ESTATES, LLC - Petition to Vacate U.S. Government Patent Easements generally located adjacent to the north side of Buckskin Avenue, approximately 610 feet west of Cliff Shadows Parkway, Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="3"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Curran and Parry for Items 133 through 138 filed under Item 133
6. Backup referenced from the 05/25/06 Planning Commission meeting Item 19

**MOTIONS:**

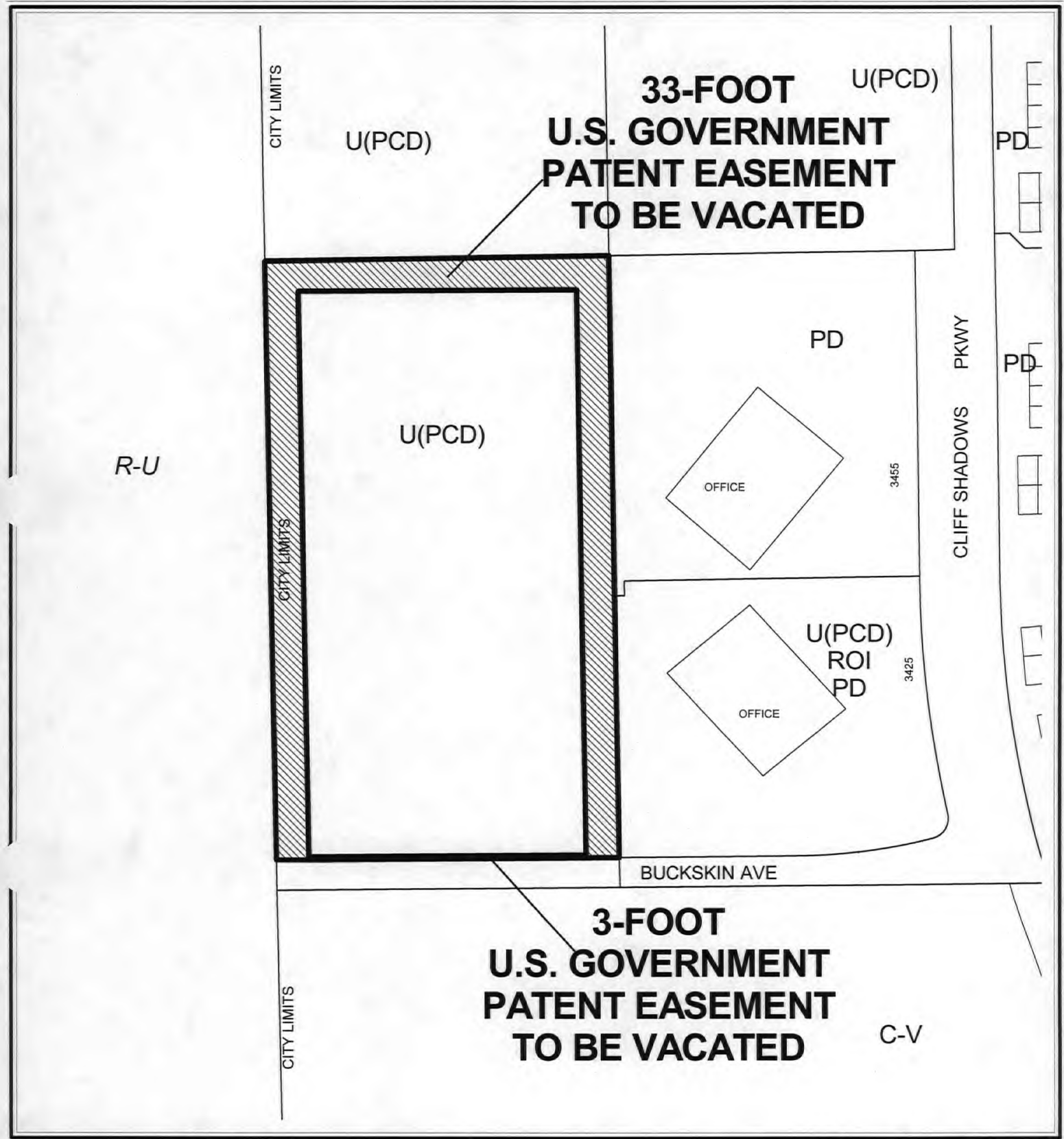
REESE - HOLD IN ABEYANCE Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and STRIKE Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - UNANIMOUS

**MINUTES:**

There was no discussion.

(1:28 - 1:30)

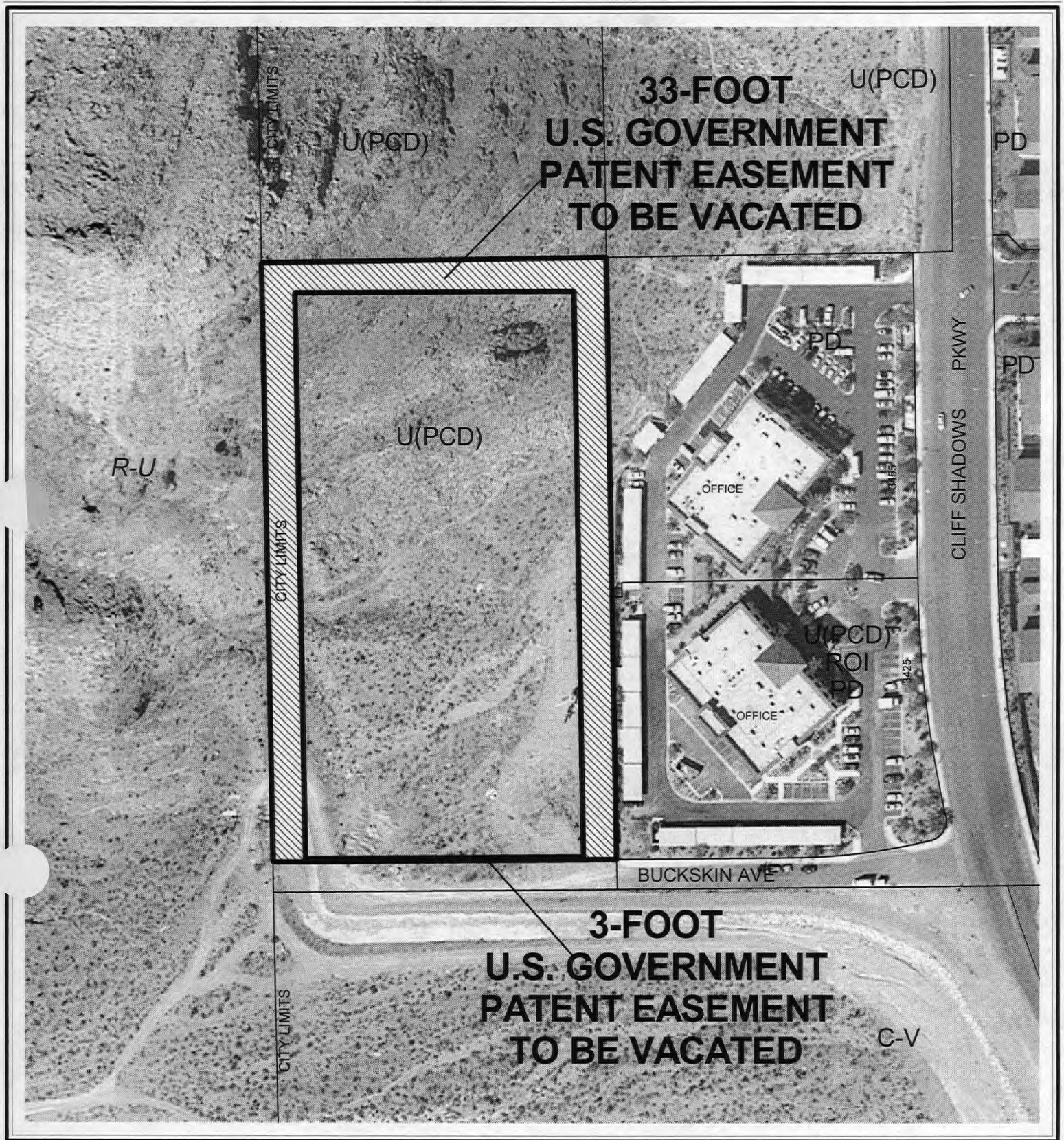
3-15



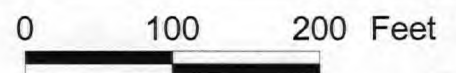
CASE: VAC-12255

0 100 200 Feet





CASE: VAC-12255



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-12255 - APPLICANT: ERIC MILLER ARCHITECTS -  
OWNER: CABALLOS DE ORO ESTATES, LLC**

---

**\*\* CONDITIONS \*\***

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

1. All development shall be in conformance with code requirements and design standards of all City Departments.
2. If the Order of Relinquishment of Interest is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Relinquishment of Interest for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The Drainage Study required with Zoning Reclassification ZON-11031 may be used to satisfy this requirement, provided that the area requested for vacation is addressed within the study.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Relinquishment of Interest.
5. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a petition to Vacate a U.S. Government Patent Easement (Patent # 1158532) generally located west of Cliff Shadows Parkway, north of the Buckskin Avenue alignment.

**EXECUTIVE SUMMARY**

The vacation of the U.S. Government Patent Easement on this site, along with companion applications, will enable the owner to develop a 30-unit attached single-family development on the parcel.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.
- 12/06/00      The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.
- 01/27/05      The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use



designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.

- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, WVR-12368, VAR-11030 and SDR-11034 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #36/ng).

## **DETAILS OF APPLICATION REQUEST**

The subject Vacation is legally described as follows:

The West, East and North thirty-three feet (33'), and the North three feet (3') of the South thirty-three feet (33'), of the West Half (W $\frac{1}{2}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 12, Township 20 South, Range 59 East, M.D.M.

## **ANALYSIS**

### ***A) Planning discussion***

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

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 9 by City Clerk

**APPROVALS** 0

**PROTESTS** 3



## STATEMENT OF FINANCIAL INTEREST

Name of Applicant: **Eric Miller**

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

Yes **X** No

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

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

Signature of Property Owner/Authorized Agent:

Print Name: \_\_\_\_\_

Subscribed and sworn before me

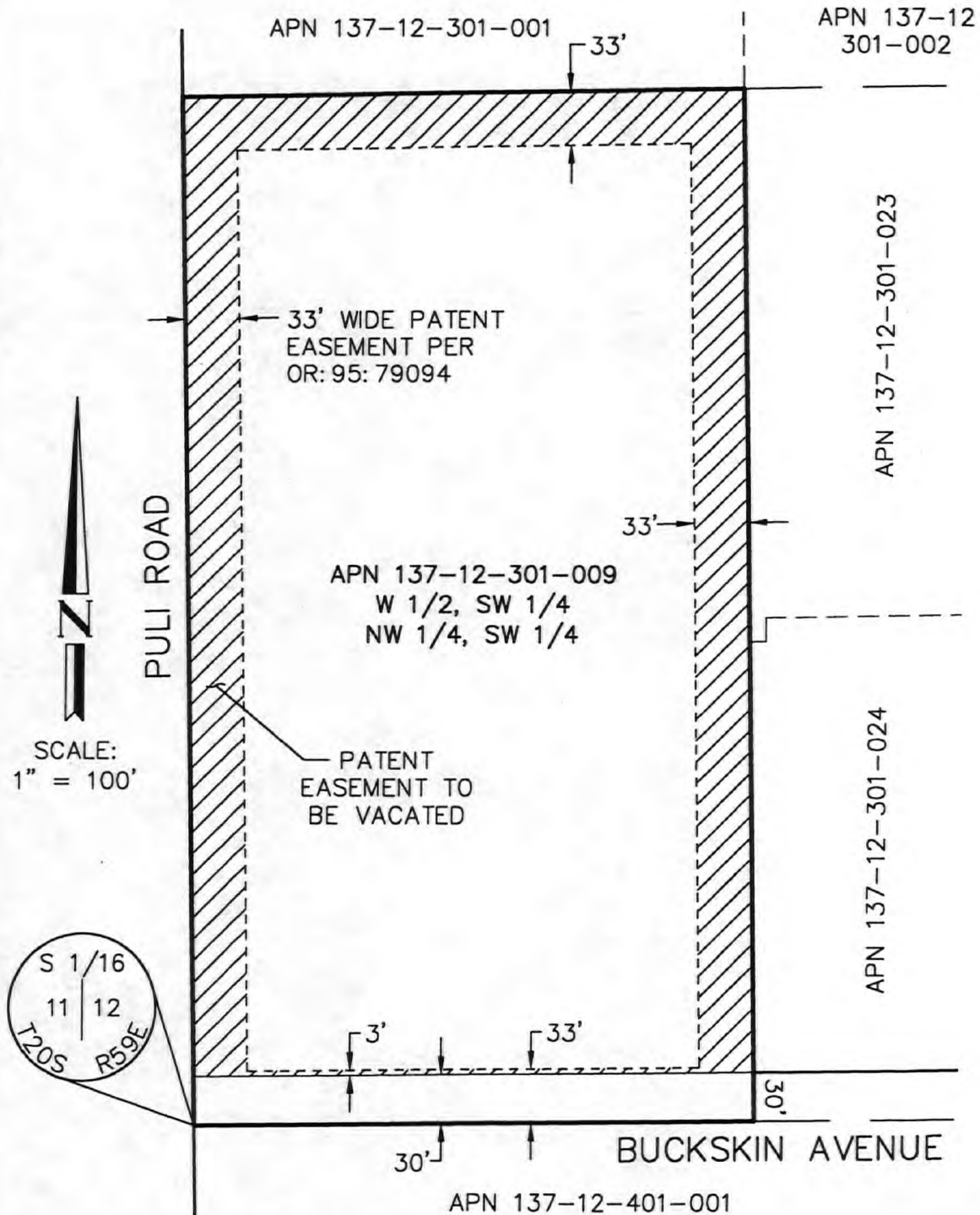
This 21 day of February, 20 06

Notary Public in and for said County and State





# EXHIBIT TO ACCOMPANY LAND DESCRIPTION



24 FEBRUARY 2006  
LV05-252 ESMT (VACATION)



**DRC Surveying Nevada, Inc.**

7180 DEAN MARTIN DRIVE, SUITE 800  
LAS VEGAS, NV 89118 (702) 270-6119

**VAC-12255**  
**04/27/06 PC**



## Development Resource Consultants, Inc.

Civil Engineering • Land Surveying • Land Planning

February 22, 2006

City of Las Vegas  
700 S. 4<sup>th</sup> Street  
Las Vegas, NV 89155

Attention: Gary Leobold  
Planning Supervisor

**Regarding: Justification Letter for Vacation of Patent Easement's  
Caballos De Oro / 137-12-301-009**

On behalf of our client, Agave Management, DRC Engineering would like to submit a request for a Vacation of Patent Easements on approximately 5.0 +/- gross acres of land generally located on the Northwest corner of Buckskin Ave. and Cliff Shadows Dr.

### **Project Description**

The proposed project shall consist of 30 townhomes on a 5.0 +/- acre parcel of land. To the north, south, east and west are all undeveloped. To the south is currently zoned C-V, to the North is currently zoned U (PCD), to the East is BLM land and to the west is zoned P-D.

### **Justification**

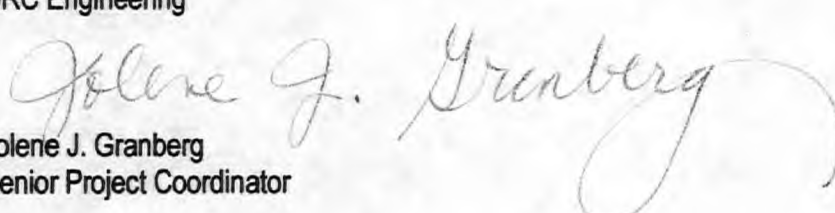
#### **Vacation of Patent Easements**

These government Patent Easement's are no longer needed. Vacating these easements will allow our client to continue to develop this project.

Please call me if you should have any questions or require additional information.

Sincerely,

DRC Engineering

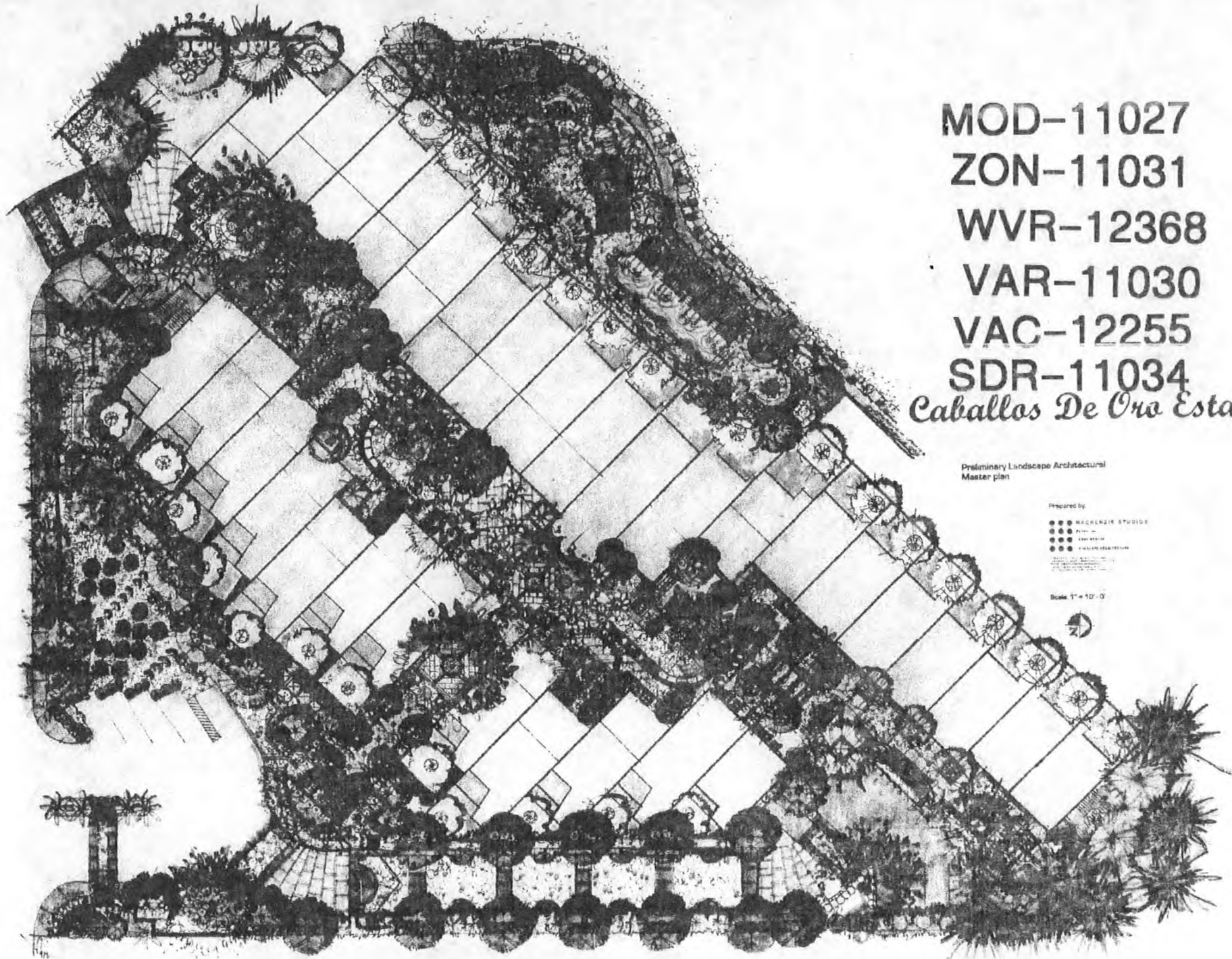
  
Jolene J. Granberg  
Senior Project Coordinator

CC: Dennis Wertzler / DRC  
Keith Robertson/Agave  
File

**VAC-12255  
04/27/06 PC**

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





MOD-11027

ZON-11031

WVR-12368

VAR-11030

VAC-12255

SDR-11034

*Caballos De Oro Estates*

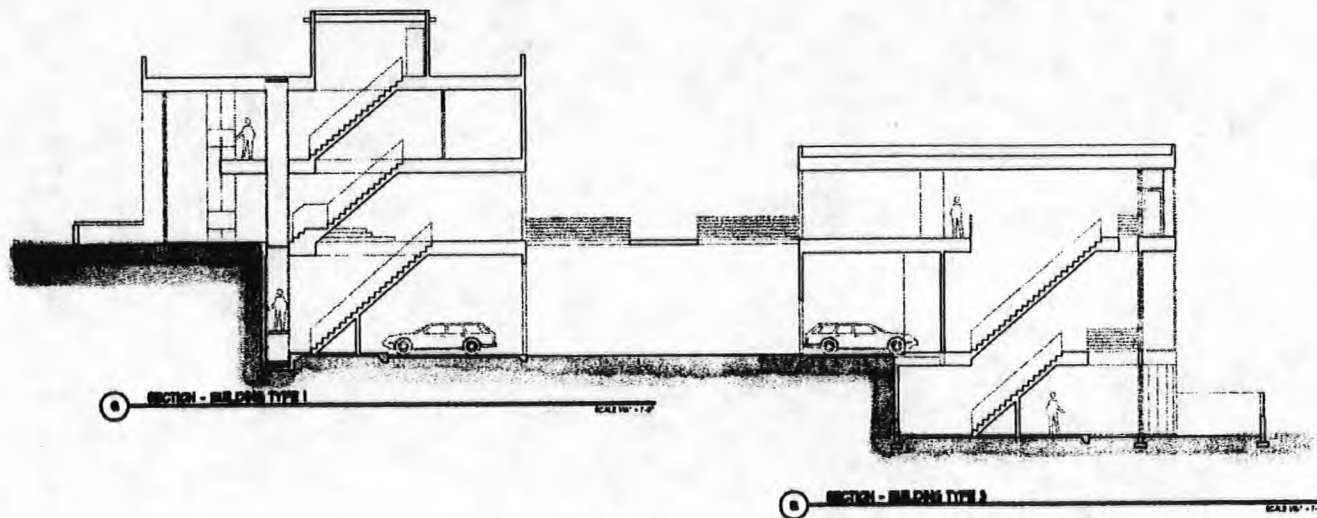
Preliminary Landscape Architectural  
Master plan

Prepared by

••••• WACKENZIE STUDIO  
••••• JAMES W. WACKENZIE  
••••• JAMES W. WACKENZIE  
••••• JAMES W. WACKENZIE

Scale 1" = 10' - 0"





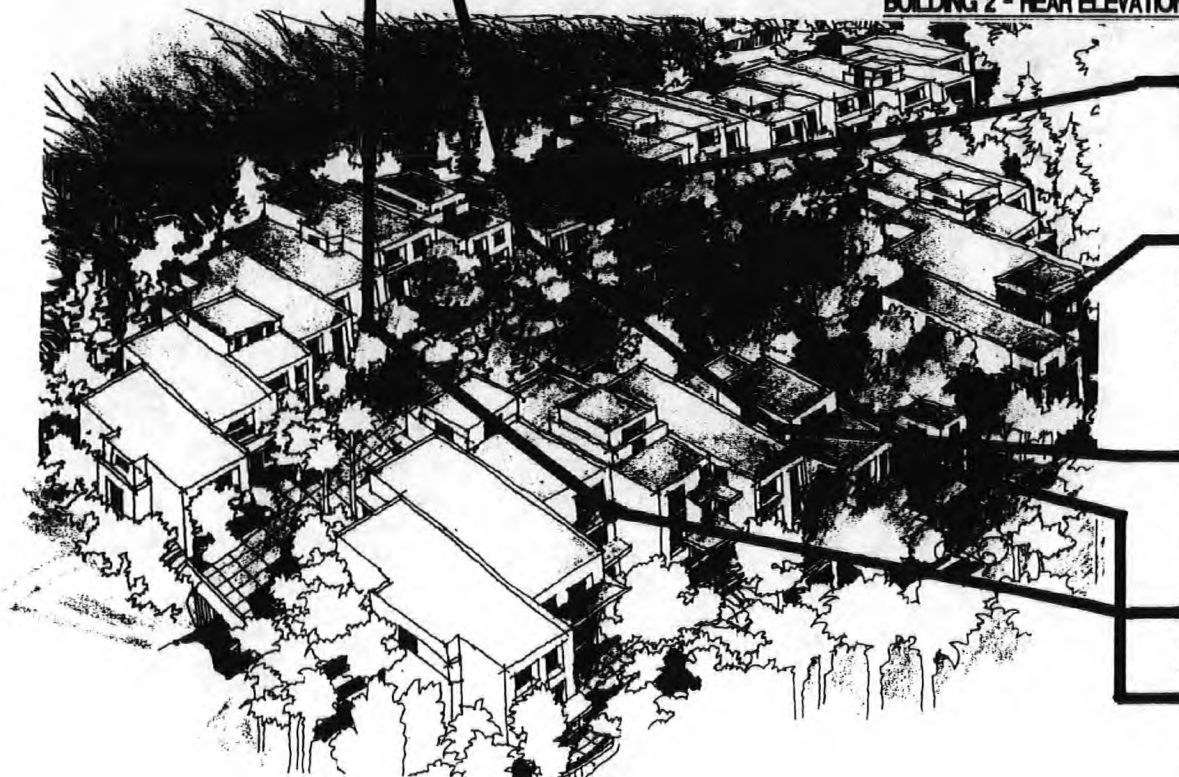
|                                                                    |     |
|--------------------------------------------------------------------|-----|
| ERIC MILLER ARCHITECT AIA<br>LAS VEGAS, NEVADA<br>PH: 702.735.1111 |     |
| Caballos de Oro<br>CONDOMINIUMS<br>LAS VEGAS NEVADA                |     |
| DESIGN BY<br>DATE: 5-24-06<br>REVISIONS                            | LC1 |
| ARCHITECTURAL<br>A5.2<br>BUILDING<br>SECTIONS                      |     |

MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034

City of Las Vegas Planning Commission  
Date 5/25/06 Item #15-20



BUILDING 2 - REAR ELEVATION



DUNN-EDWARDS  
DE 6062  
TEA BAG  
LRV 12



DUNN-EDWARDS  
DE 6303  
SKY-GLASS  
LRV 64



DUNN-EDWARDS  
DE 6156  
MARBLE DUST  
LRV 73



DUNN-EDWARDS  
DE 6221  
FLINTSTONE  
LRV 43



CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001

MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



ERIC MILLER ARCHITECT - AIA  
1000 S. LAS VEGAS BLVD.  
LAS VEGAS, NEVADA 89101  
PHONE 702-735-7777

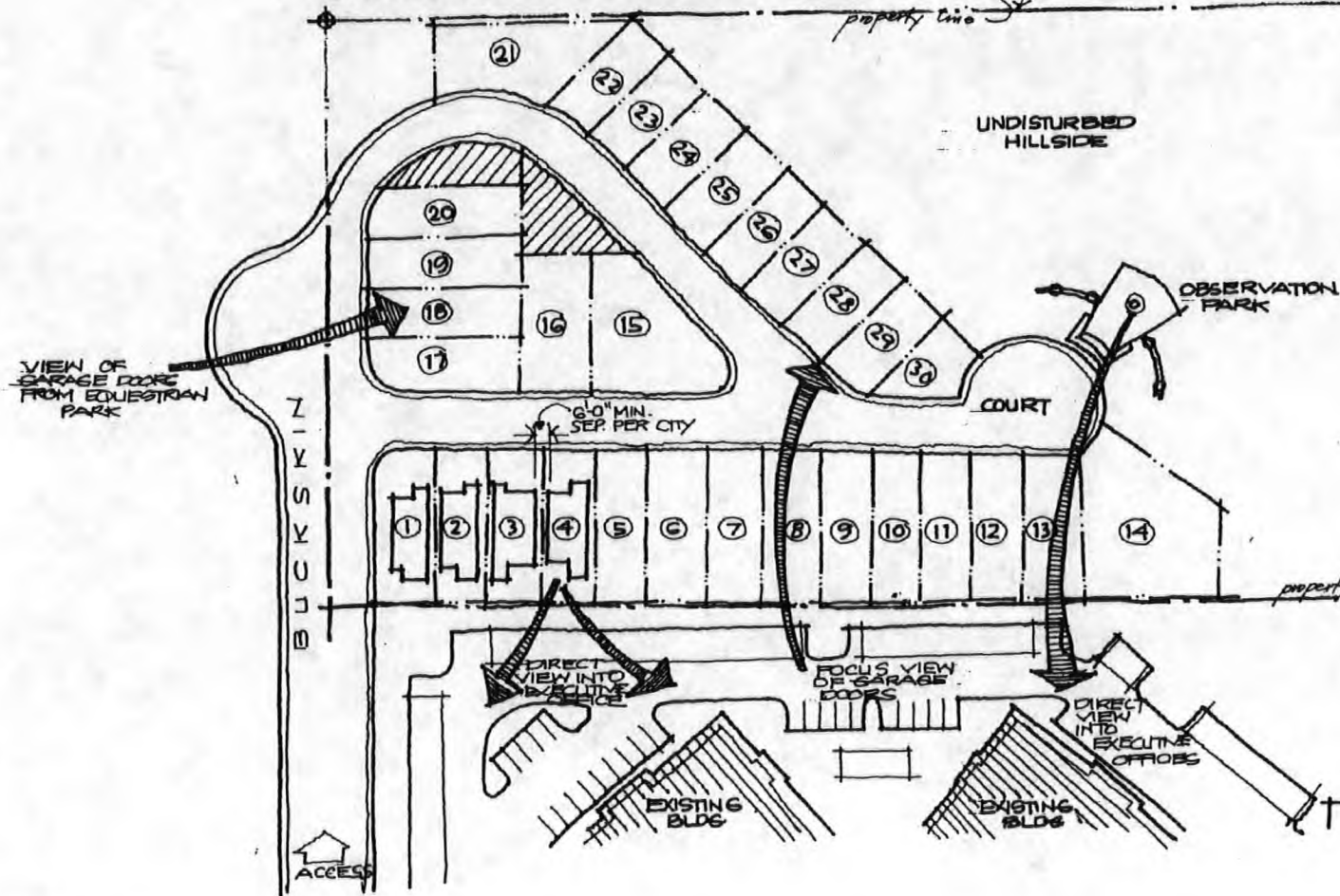
Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS  
NEVADA

DRAWN BY: LCP  
DATE: 1-10-01  
REVISIONS

ARCHITECTURAL  
A4.2  
BUILDING 2  
ELEVATIONS



CONCEPTUAL PLAN  
SINGLE FAMILY DETACHED EMA 05-23-06 NTS



MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

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**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT**    ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-11031, MOD-11027, WVR-12368, VAR-11030 AND VAC-12255

SDR-11034 - PUBLIC HEARING - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 30-UNIT ATTACHED SINGLE-FAMILY DEVELOPMENT on 5.0 acres west of the intersection of Cheyenne Avenue and the I-215 Beltway (APN 137-12-301-009), U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation] [PROPOSED: PD (Planned Development) Zone] [L (Low Density Residential) Special Land Use Designation], Ward 4 (Brown). The Planning Commission (6-1 vote) and staff recommend APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="8"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

1. Location Map
2. Conditions For This Application
3. Staff Report
4. Justification Letter
5. Submitted after final agenda - Abeyance request by Curran and Parry for Items 133 through 138 filed under Item 133
6. Backup referenced from the 05/25/06 Planning Commission meeting Item 20

**MOTIONS:**

REESE - HOLD IN ABEYANCE Item 114 [VAC-12918], Item 115 [GPA-12164], Item 116 [ZON-12167], Item 117 [VAR-12168], Item 118 [SDR-12165], Item 119 [ZON-12070], Item 120 [SDR-12071], Item 133 [MOD-11027], Item 134 [ZON-11031], Item 135 [WVR-12368], Item 136 [VAR-11030], Item 137 [VAC-12255] and Item 138 [SDR-11034] to 7/12/2006; and STRIKE Item 108 [225 West Cleveland Avenue], Item 110 [2706 Bryant Avenue] and Item 111 [7075 West Craig Road] - UNANIMOUS

**MINUTES:**

There was no discussion.

(1:28 - 1:30)

3-15





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-11034 - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030), and a Vacation (VAC-12255) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan as presented at the 05/25/06 Planning Commission meeting, the landscape plan date stamped 04/20/06, and the building elevations date stamped 03/14/06, except as amended by conditions herein.
4. There shall be no blasting on the site to construct the project, and the applicant agrees that the remainder of this site will be retained as passive open space to be deed to the City with no future development phases allowed.
5. The natural terrain on the west side of the site shall be retained or restored.
6. The application shall comply with the color palette prepared 11/30/05 as presented on 05/25/06.
7. Building height shall not exceed three stories or 44 feet, subject to approval of Variance VAR-11030.
8. The minimum distance between buildings shall be 10 feet. All perimeter and retaining walls shall meet Title 18, Title 19 and Lone Mountain West standards for walls; adjustments to the site plan and elevations shall be made if necessary to meet these standards, or any Title 19 Variance and/or Title 18 Waiver, should such be determined to be necessary based on future adjustments to the project, shall be submitted and approved, prior to the issuance of any permits.

9. All landscape areas shall comply with Section 4 of the Lone Mountain West Open Space Standards. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
10. Trees shall be provided in the surface parking lot area in accordance with Title 19.12.
11. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
14. Air conditioning units shall not be mounted on rooftops.
15. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
16. Parking area lighting standards shall be no more than 20 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Parking area lighting shall not create fugitive lighting on adjacent properties.
17. 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.
18. Prior to the submittal of a building permit application, 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.
19. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

20. 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.
21. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Tentative Map for this site. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services.
22. Site development to comply with all applicable conditions of approval for ZON-11031, the Lone Mountain West Master Plan 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.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

This is a request for a Site Development Plan Review for a 30-unit attached single-family development on five acres located west of the intersection of Cheyenne Avenue and the Clark County 215 Beltway. Companion requests for a Major Modification (MOD-11027), a Rezoning (ZON-11031), a Waiver of Title 18 (WVR-12368), a Variance (VAR-11030) and a Vacation (VAC-12255) have been submitted concurrently.

**EXECUTIVE SUMMARY**

The applicant intends to build 30 attached single-family townhome-style units developed with a common parking access area and common facilities such as an outdoor pool and a clubhouse, on a site within the Plan area that is currently designated as L (Low Density Residential). The applicant intends to develop this project on a site that is severely topographically constrained, and develop this project within the allowed density for this area; however, since only approximately half of the site is developable, the applicant is seeking relief from the Plan limit of two stories on the site, in order to produce workable units as part of an integrated project. The applicant also requires relief from maximum building height limits. The request is appropriate as the existing relief on the site provides a constraint to development if limited to single-detached forms.

**BACKGROUND INFORMATION**

***A) Related Actions***

- 02/16/00      The City Council approved a petition to annex property (A-0046-99) located on the northeast corner of Buckskin Avenue and Puli Drive, containing approximately 5.0 acres of land. The Planning Commission and staff had recommended approval on 11/04/99. The effective date was 02/25/00.
- 10/26/00      The Planning Commission recommended denial of a request for a Site Development Plan Review [Z-0094-00(1)] for a proposed 72,000 square-foot office development on 5.0 acres located on the northeast corner of the intersection of the Puli Road and Buckskin Avenue alignments. This application was subsequently withdrawn without prejudice before the City Council on 12/06/00. Staff had recommended denial.

- 12/06/00 The City Council approved a request for a Rezoning (Z-0094-00) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on five acres located on the northeast corner of the intersection of Puli Road and Buckskin Avenue alignments, subject to a Resolution of Intent with a two-year time limit. The Planning Commission and staff had recommended approval on 10/26/00. This approval expired on 12/06/02.
- 01/27/05 The Planning Commission voted to abey several related requests to its regular meeting of 02/24/05, to give the applicant an opportunity to meet with adjacent property owners. These requests included a Major Modification (MOD-5781) of the Lone Mountain West Master Development Plan to change the land use designation from L (Low Density Residential) to MFM (Multi-Family Medium Residential), and to amend Tables #1, #2, #3 and #4 (Section 2.2) to reflect changes to the land use categories and number of residential units, a Rezoning (ZON-5785) to rezone the site to PD (Planned Development), a Variance (VAR-5786) to allow a 15-story building where a maximum height of three stories was permitted, a Variance (VAR-5792) to allow 168 parking spaces where 222 spaces are required, and a Site Development Plan Review (SDR-5781) to allow a 15-story, 125-unit condominium development on the subject site.
- 02/10/05 The Planning Commission voted to abey a related request (VAC-5793) to its regular meeting of 2/24/05, to be heard with companion items and to give the applicant an opportunity to address the issue of a horse trail on the site with staff.
- 02/24/05 The Planning Commission voted to abey MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to its regular meeting of 4/28/05, to allow the applicant time to redesign the project.
- 04/28/05 The Planning Commission voted to table MOD-5784, ZON-5785, VAR-5786, VAR-5792, VAC-5793 and SDR-5781 to allow the applicant time to adjust this and companion applications in order to present a revised version of the project.
- 05/25/06 The Planning Commission recommended approval of companion items MOD-11027, ZON-11031, WVR-12368, VAR-11030 and VAC-12255 concurrently with this application.
- 05/25/06 The Planning Commission voted 6-1/ds to recommend APPROVAL (PC Agenda Item #20/gl).

***B) Pre-Application Meeting***

- 11/16/05 The project was analyzed to identify the necessary submissions and the applicant was advised of the submission requirements for the project and was also advised of pertinent issues as seen by staff at that time.

**C) *Neighborhood Meetings***

02/02/05      A neighborhood meeting is not required for a Site Development Plan Review application; however, one was required for companion request Major Modification MOD-11027.

The applicant sponsored this meeting at the Clark County Rainbow Library, 3150 North Buffalo Drive, Las Vegas, Nevada, starting at 5:30 p.m. The meeting was attended by three members of the public, three members from the design team, and a city representative.

The developer's representative presented several design boards of the project in an informal manner for the public to review and ask questions. The members of the public asked questions and made the following comments:

a. Clarification of the project site was requested by one of the attendees.

Response: The applicant's architect reviewed the exact location of the project site which clarified the public's concern of a different site location.

b. Question as to the height of the proposed project.

Response: The developer's representative noted that the height of the residential buildings would be a maximum of 35 feet with a split level three story design.

No further questions were raised. General discussion of the overall project ensued between the developer and members of the public in an informal manner. No specific objections were raised, as the height of the proposed structures appeared to be acceptable at 35 feet as explained by the architect.

**DETAILS OF APPLICATION REQUEST**

**A) *Site Area***

Gross Acres:      5.0

**B) *Existing Land Use***

Subject Property: Undeveloped  
North: Undeveloped  
South: Undeveloped (park under design and development)  
East: Office Building  
West: Red Rock Canyon National Conservation Area



**C) Planned Land Use**

Subject Property: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
North: PCD (Planned Community Development)  
L (Low Density Residential) Lone Mountain West Special Land Use Designation  
South: PCD (Planned Community Development)  
P (Parks, Schools, Recreation, Open Space) Lone Mountain West Special Land Use Designation  
East: PCD (Planned Community Development)  
VC (Village Commercial) Lone Mountain West Special Land Use Designation  
West: (RC) Resource Conservation

**D) Existing Zoning**

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

**E) General Plan Compliance**

This property is designated for PCD (Planned Community Development) land uses in the Centennial Hills Sector Plan of the General Plan. The site is included within the Lone Mountain West Master Development Plan area and is designated as L (Low Density Residential) special land use designation by that Plan.

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

**Lone Mountain West Master Development Plan**

The proposed development is not in compliance with the Lone Mountain West Master Development Plan, due to the proposed height and the type of use, being an attached single-family product. The applicant is attempting to address these issues through companion cases Major Modification (MOD-11027) and Variance (VAR-11030).

### **Trails**

Although not required pursuant to the city's Trails Elements, there is an existing equestrian trail that bisects the subject site along the base of the mountain. It is the intent of the applicant to preserve this informal trail as it crosses the site along the northern edge of the portion of the site to be developed.

## **PROJECT DESCRIPTION**

The proposed attached single-family units, which will be a maximum of 44 feet in height at any point on any given unit, will be clustered into two approximately parallel buildings, with a private street between the two that is used for parking access to each unit. The northern building will be higher than the southern building, as the project is designed to step up the slope from south to north. As a result, parking for each two-car garage within each unit of the north building will enter at the lowest of three levels, while the parking for each unit within the south building will enter on the middle of three floors. Due to the topography of the site, vehicular entry will be at the southeast corner of the site, which is its low point. This entry will be a gated private street which will provide one-way circulation through the site. The project is designed to flow with the topography of the site and will be designed with colors and materials that will allow the building to blend with the surrounding mountains.

## **ANALYSIS**

### ***A) Zoning Code Compliance***

#### **A1) Development Standards**

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

| <b>Standards</b>     | <b>Required</b> | <b>Provided</b> | <b>Compliance</b> |
|----------------------|-----------------|-----------------|-------------------|
| Density              | 5 du/ac         | 5 du/ac         | Y                 |
| Max. Building Height | 2 stories       | 3 stories       | N                 |
| Mech. Equipment      | Screened        | Not indicated   | N/A               |

The proposed development will comply with the residential density limitation, but does not comply with the applicable height limit. A Major Modification (MOD-11027) application and a Variance (VAR-5786) application have been filed to address the height issues. The Major Modification will allow a height of three stories within the L (Low Density Residential) special land use designation of the Lone Mountain West Plan, while the Variance will address a Title 19 35-foot height restriction on this form of development.

The applicant is proposing two trash enclosure areas; the main location is outside the entrance gates at the west end of the site. A second enclosure is located inside the gates at the east end of the site, but the applicant is proposing to move the bin located within this enclosure to the west side of the site on collection days.

A2) Residential Adjacency Standards

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

A3) Parking and Traffic Standards

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

| Uses                                  | Units    | Ratio            | Required Parking |          | Provided Parking |                                                     |
|---------------------------------------|----------|------------------|------------------|----------|------------------|-----------------------------------------------------|
|                                       |          |                  | Regular          | Handicap | Regular          | Handicap                                            |
| Single-family attached: two-bdrm apt. | 30 units | 1.75 spaces/unit | 53 spaces        | N/A      |                  |                                                     |
| Guest Parking                         |          | 1/6 units        | 5 spaces         | N/A      |                  |                                                     |
| Totals                                |          |                  | 58 spaces        | N/A      | 76 spaces        | 1 space of total number provided (as a guest space) |

The number of spaces provided exceeds that required by Code. One of the proposed floor plans has an internal stairwell that is partially located within the garage area. The design must ensure a clear and unobstructed parking area within the garage space that has a nine-foot width and an 18-foot length for each parking capsule.

A4) Landscape and Open Space Standards

The Lone Mountain West Master Plan Standard (Section 4.4) dictates that "neighborhood parks shall be built within residential communities to provide passive and active play areas...at 330 square feet per dwelling unit". The proposed project would require 9,900 square feet of open space.

Although the applicant is providing no active area open space available to the community at large, approximately half of the overall site is passive open space in the form of mountainside area. Also, the applicant is providing a pool area and a clubhouse for the use of the owners of the proposed units.



The pool area exceeds 9,900 square feet; as a result, the application is in compliance with the Lone Mountain West requirement for passive and active play area.

The applicant is also required (Section 2.3.7) to contribute 0.0769 acres of open space and pocket parks per acre of the site, or 16,749 square feet of parks space. Again, the approximately two acres of the site that consists of mountainside area that will remain in a natural state is considered to fulfill the necessary open space requirement.

Additionally per Lone Mountain West Master Plan Standard 6.4, one 24-inch box tree per single-family front yard is required. The front yard shall be designed so that a minimum of 60% coverage is achieved within two years under normal growing conditions. This includes shrubs and vegetative ground covers. Plantings shall be a minimum of five-gallon size, adequately spaced to provide full screen after two years growth. Appropriate rock mulch, such as decomposed granite, shale, etc., shall be used in shrub beds, and shall be of earth tone (non-white). Landscaping shall be provided in yard areas. A condition of approval addresses this requirement.

There is a perimeter wall proposed along the east edge of the property. The existing wall in this location is located on the neighboring property. The applicant is proposing to construct a four-foot retaining wall behind the existing wall, as that wall is not structurally suited to act as a retaining wall. A 42" wrought iron fence will be installed on top of this retaining wall. There will then be a five-foot offset into the site, where a short retaining wall approximately 18 inches to two feet in height will be located against the parking area and the private street. This design appears to conform to the landscaping, buffering and height standards associated with these aspects of the development.

**B) General Analysis and Discussion**

- Zoning

The site is currently zoned U (Undeveloped) Zone [PCD (Planned Community Development) Master Plan Designation]. A concurrent application (ZON-11031), seeks to rezone the site PD (Planned Development). The proposed rezoning is consistent with the PCD (Planned Community Development) land use designation, and is consistent with the Lone Mountain West special land use designation of L (Low Density Residential). The proposed attached single-family residential development is allowed under this designation.

- Site Plan

The site plan is for a 30-lot attached single-family residential development. The plan calls for all units to be combined into two buildings, where the units are attached at the sides and there is common access to the units by a 24-foot wide private street which

separates the two buildings. Each unit has a small lot that contains the unit and a small patio area; typical size would be 21 feet wide and 55 feet in length, or 1,155 square feet, with an approximately 300 square-foot patio area.

To facilitate the development, there are several companion cases, including a Major Modification (MOD-11027) to allow three story attached single-family units within the L designation of the Plan area, a Rezoning (ZON-11031) to rezone the site to PD (Planned Development), a Waiver (WVR-12368) for private street width, a Variance (VAR-11030) to allow for a 38-foot building height, and a Vacation (VAC-12255) to eliminate patent easements on the site. These requests can be supported as they support the basic direction of the Plan to provide low-rise, low-density development on the subject site.

- Waivers

This project requires a Waiver of private drive width which is a concurrent application (WVR-12368). The Waiver for private drive width would allow 24-foot wide private streets where 37 feet is the minimum width required. This Waiver is being heard concurrently with this Site Development Plan Review. An administrative waiver of architectural themes is discussed below.

- Landscape Plan

Two of the proposed tree species (Photinia Tree and African Sumac) and two of the proposed shrub species (Lantana, Myoporum and Indian Hawthorne) are not listed on the permitted plant list; however, the Master Plan allows alternate plant materials on approval of the City of Las Vegas. Trees are provided around all surface parking lot areas and in landscaped common areas around the site.

- Elevation

Section 4.2 of the Lone Mountain West MDP requires that "...residential projects will be derived from Southwest Contemporary, Mission or Italian Renaissance". The architectural vernacular of the project does not fit directly with any of these styles; however, as the project is somewhat isolated from other development sites within the Plan area, and the design does appear to be compatible with the design of the existing office project on the adjacent site, which is the only abutting development parcel, it appears that waiver of this requirement is appropriate and can be supported.

- Floor Plan

The floor plans show three different models to choose from, based on whether the unit is in the upper or lower tier of units. These models are all 1,155 square-foot, two-bedroom units, with two car garages. All units have a private outdoor courtyard and one model also has a roof 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 proposed scale of the development is consistent with the adjacent development, as the project is located behind an existing two-story office complex with mountainsides to the north and west and an equestrian trail head to the south, with no single-family or low density uses in the area; little conflict should arise between these uses.

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

The General Plan category of PCD (Planned Community Development) defers to the approved master development plan for all policy structure other than a limitation of eight units of residential development per gross acre of the overall site. The project as proposed does not conflict with the mandate.

The proposed development is inconsistent with the uses and allowable building heights allow under the existing L (Low Density Residential) Lone Mountain West special land use designation for the site; the application has submitted a Major Modification (MOD-11027) to allow the proposed attached single-family use and to allow a building height of three stories. The proposed architectural theme of the project is also inconsistent with the stated development themes for the Plan area. Due to the relatively isolated nature of the site and the matching scale of the existing office development on the only adjacent developable parcel, approval is recommended.

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

The site is located at the end of Buckskin Avenue, a 60-foot wide local street; the street segment is currently shared only with the abutting property to the east, but will be required to provide access to the park site to the south and federal lands to the west. Access and circulation will have a little impact on adjacent roadways.

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

The stucco finishes as proposed are appropriate for this location and will blend with the mountain setting. The landscape materials as proposed are generally consistent with the landscape palette as stipulated in the Appendix to the Lone Mountain West Plan, although a few species are proposed which are not listed on the palette.



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

The proposed architectural theme of the project is inconsistent with the stated development themes for the Plan area, as it is not Italian Renaissance, Mission, or Southwest Contemporary in appearance. It is a relatively plain, very modern looking project with limited relationship to the stated themes; however, due to the isolated location of the site, and it's relative similarity to the style of the adjacent office structures, approval of this waiver to the architectural theme can be recommended.

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

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

#### **PLANNING COMMISSION ACTION**

New color plans were submitted and conditions 3, 4 and 5 were added at the Planning Commission meeting. The applicant agreed to all conditions.

#### **NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 3

**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 9

**NOTICES MAILED** 340 by Planning Department

**APPROVALS** 0

**PROTESTS** 8



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-11034** APN: 137.12.301.009  
Name of Property Owner: CABALLOS DE ORO ESTATES, LLC  
Name of Applicant: ERIL MILLER ARCHITECT

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: \_\_\_\_\_

Print Name: \_\_\_\_\_

ANDY PHAM

Subscribed and sworn before me

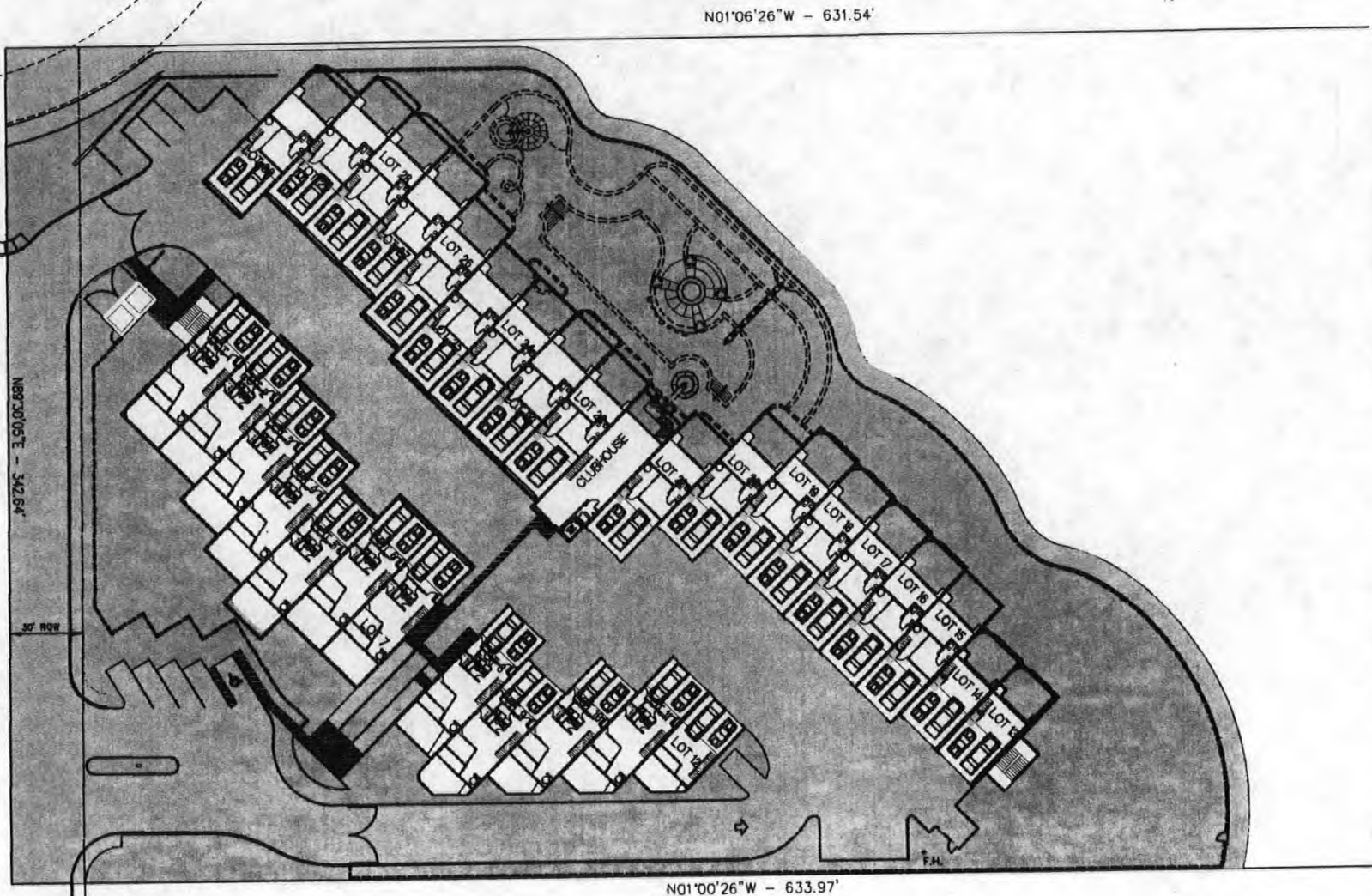
This 15 day of December, 20 05

John W. Stoll  
Notary Public in and for said County and State









**SITE PLAN**

SCALE: 1"=20'-0"



MOD-11027 ZON-11031  
WVR-12368 VAR-11030  
SDR-11034 04/27/06 PC  
REVISED

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APR 20 2006

ARCHITECTURAL

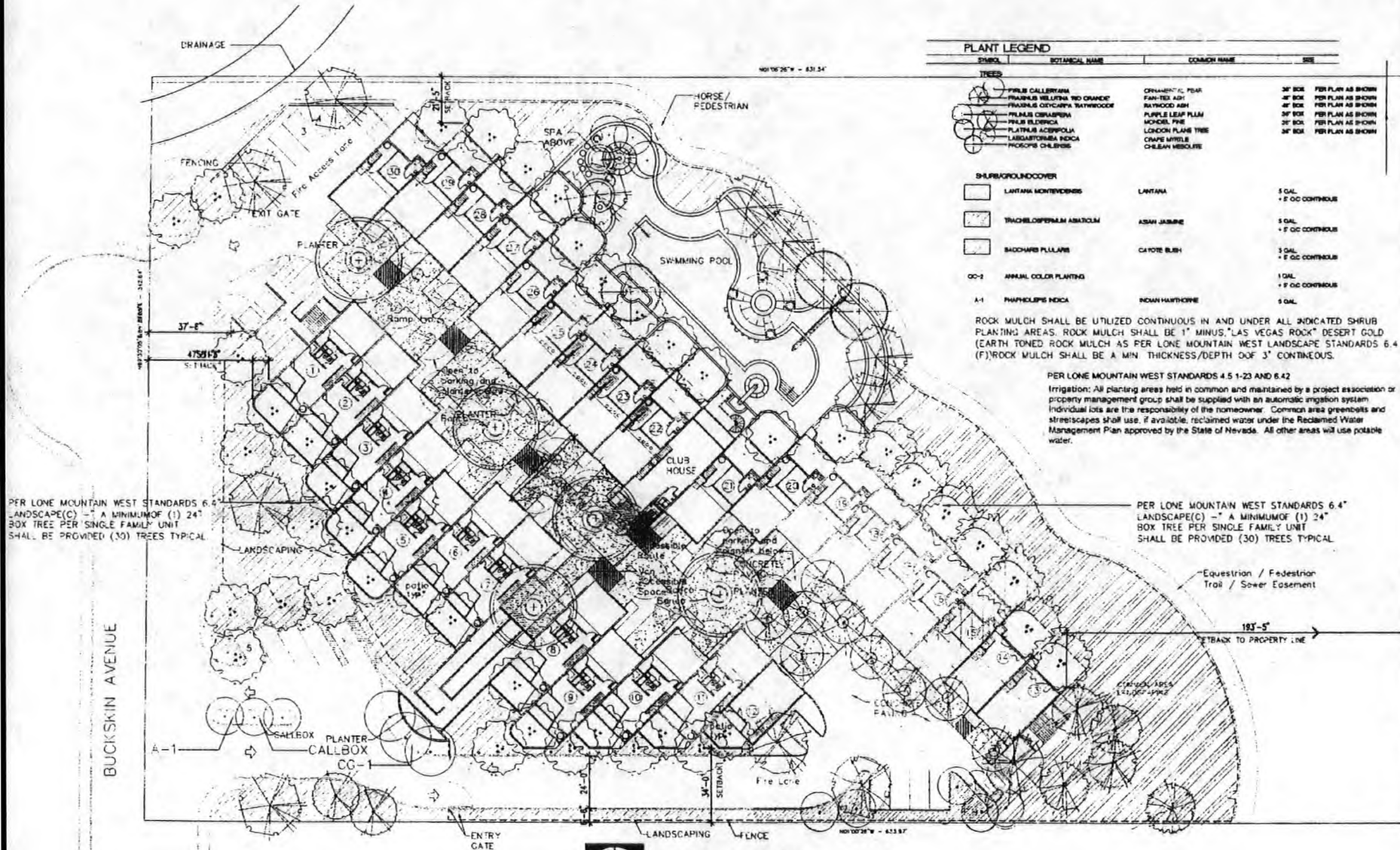
**A11**

**SITE PLAN**

Caballos de Oro  
CONDOMINIUMS  
LAS VEGAS NEVADA

DRAWN BY: LDU  
DATE: 04-20-06  
REVISIONS

**ERIC MILLER ARCHITECT • AIA**  
2005-2006  
LAS VEGAS, NEVADA 89102  
PH: 702-887-2000  
FAX: 702-887-2000



# PLANT LEGEND

| SYMBOL                     | BOTANICAL NAME                 | COMMON NAME       | SIZE                       |
|----------------------------|--------------------------------|-------------------|----------------------------|
| <b>TREES</b>               |                                |                   |                            |
| (Symbol)                   | FRAXILIS CALLENTANA            | ORIENTAL PEAR     | 36" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | FAIRY-TREE ASH    | 48" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | RAYWOOD ASH       | 48" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | PURPLE LEAF PLUM  | 36" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | MOORE, PINE       | 36" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | LONDON PLANE TREE | 36" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | CHINA SPRUCE      | 36" BOX PER PLAN AS SHOWN  |
| (Symbol)                   | FRAXILIS VELUTINA 'RED ORANGE' | CHINA SPRUCE      | 36" BOX PER PLAN AS SHOWN  |
| <b>SHRUBS/GROUND COVER</b> |                                |                   |                            |
| (Symbol)                   | LANTANA MONTEVIDENSIS          | LANTANA           | 5 GAL. + 5" OC CONTINUOUS  |
| (Symbol)                   | TRACHELOSTEMUM ARAUCARIUM      | ASIAN JASMINE     | 5 GAL. + 5" OC CONTINUOUS  |
| (Symbol)                   | BACCHARIS PULCHRA              | CATYPA BUSH       | 5 GAL. + 5" OC CONTINUOUS  |
| <b>CO-1</b>                |                                |                   |                            |
| (Symbol)                   | ANNUAL COLOR PLANTING          |                   | 10 GAL. + 5" OC CONTINUOUS |
| <b>A-1</b>                 |                                |                   |                            |
| (Symbol)                   | FRAXILIS VELUTINA              | INDIAN HAWTHORNE  | 5 GAL.                     |

ROCK MULCH SHALL BE UTILIZED CONTINUOUS IN AND UNDER ALL INDICATED SHRUB PLANTING AREAS. ROCK MULCH SHALL BE 1" MINUS "LAS VEGAS ROCK" DESERT GOLD (EARTH TONED ROCK MULCH AS PER LONE MOUNTAIN WEST LANDSCAPE STANDARDS 6.4 (F) ROCK MULCH SHALL BE A MIN. THICKNESS/DEPTH OF 3" CONTINUOUS.

PER LONE MOUNTAIN WEST STANDARDS 4.5.1-23 AND 6.




**ERIC MILLER ARCHITECT • AIA**  
ONE MILLER ROAD  
LAS VEGAS, NEVADA 89119

Caballos de Oro  
**CONDOMINIUMS**  
LAS VEGAS, NEVADA

DRAWN BY: LDM  
DATE: 11-30-05  
REVISIONS:

ARCHITECTURAL  
**A12**  
PLAZA LEVEL PLAN

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APR 06 2006

SDR-11034

04/27/06 PC

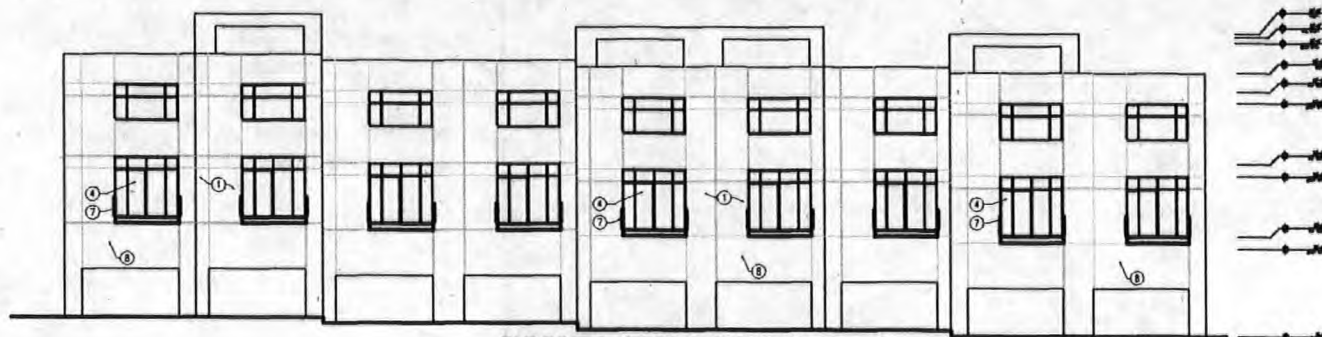
REVISED





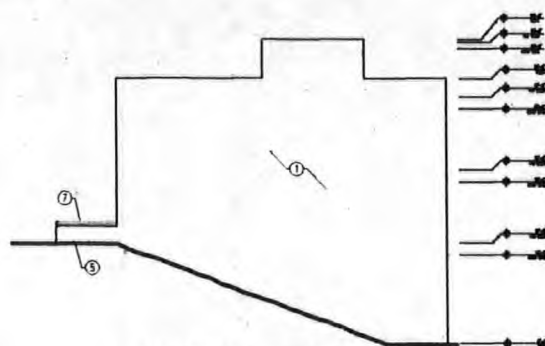
**BUILDING 1 - REAR ELEVATION**

1" = 20'-0"



**BUILDING 1 - FRONT ELEVATION**

1" = 20'-0"



**BUILDING 1 - SIDE ELEVATION**

1" = 20'-0"

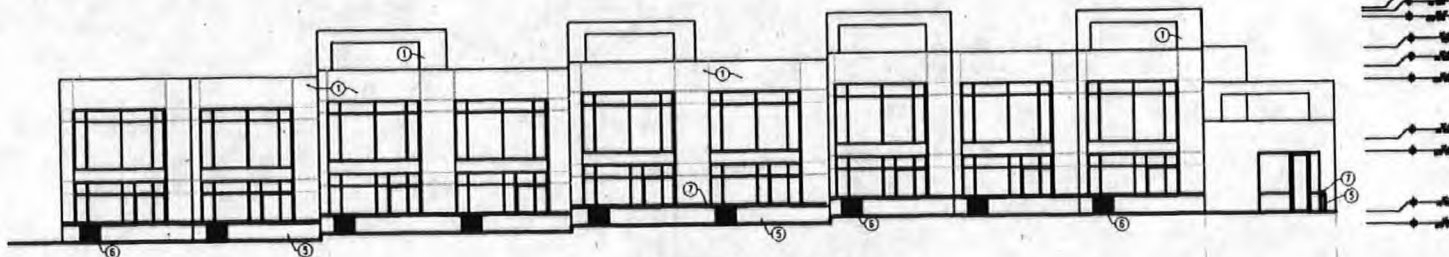
**KEYED NOTES**

- 1 STUCCO SYSTEM, SEE DETAILS
- 2 STUCCO FINISH, SEE TYPICAL
- 3 WINDOW UNITS, SEE UNIT PLANS
- 4 DOOR, SEE UNIT PLANS
- 5 LOW STUCCO WALL AT PARKING
- 6 CORNER
- 7 RAILING
- 8 16'-0" W. x 8'-0" H. OVERHUNG GARAGE DOOR, TYP. STUCCO CONTROL JAMB, TYPICAL, FINISHES AT ALL CORNERS AND RECESSES



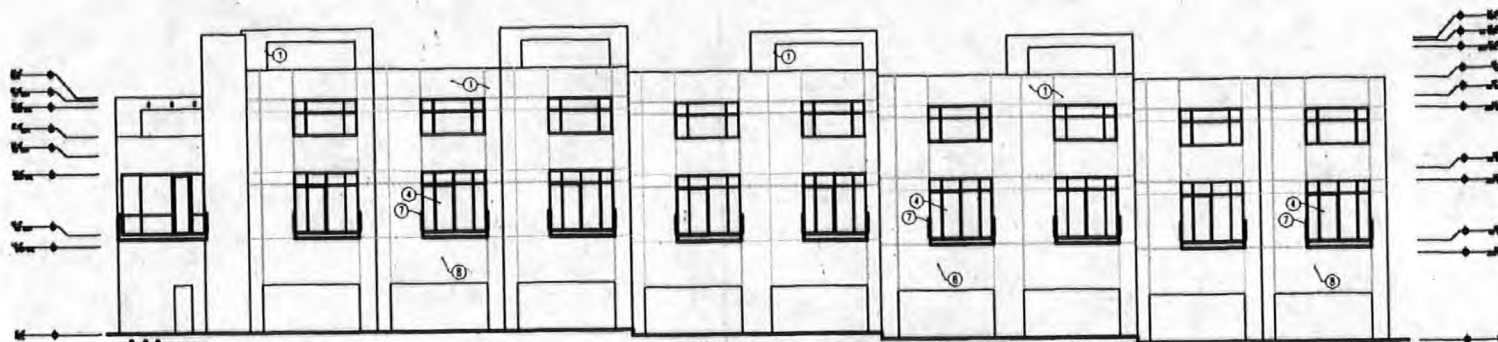
ZON-11031 WVR-12368  
MOD-11027  
VAR-11030 SDR-11034  
04/27/06 PC

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MAR 1-4 2006



**BUILDING 2 - REAR ELEVATION**

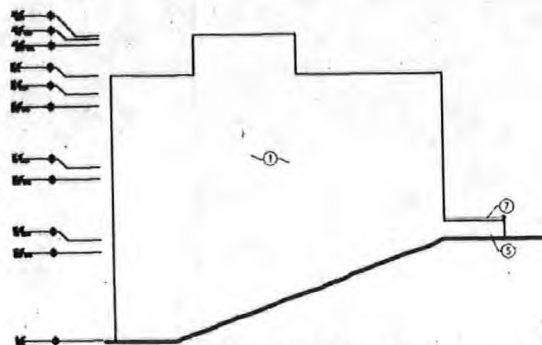
1" = 20'-0"



clubhouse

**BUILDING 2 - FRONT ELEVATION (with clubhouse)**

1" = 20'-0"



**BUILDING 2 - SIDE ELEVATION**

1" = 20'-0"

**REVISION NOTES**

1. STUCCO FINISH, SEE DETAILS
2. STUCCO FINISH, SEE DETAILS
3. WINDOW FINISH, SEE UNIT PLANS
4. DOOR FINISH, SEE UNIT PLANS
5. LOW STUCCO WALL AT PATIO
6. GATE
7. FINISH
8. 16'-0" W. x 8'-0" OVERHEAD GARAGE DOOR, TYP.
9. STUCCO FINISH, SEE UNIT PLANS. PROVIDE AT ALL DOORS AND WINDOWS

ZON-11031

WVR-12368

MOD-11027

VAR-11030

SDR-11034

04/27/06 PC

**RECEIVED**  
MAR 14 2006

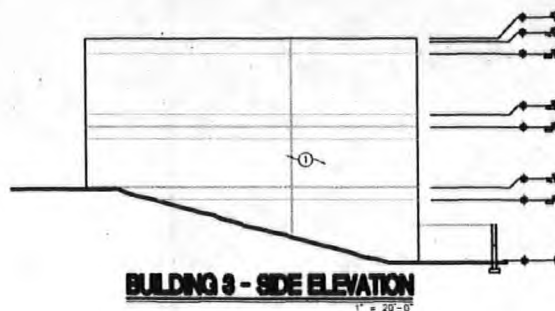
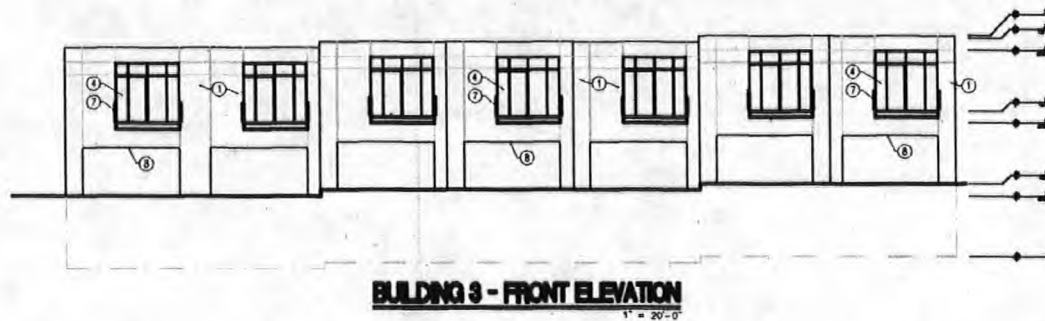


**ERIC MILLER ARCHITECT AIA**  
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LAS VEGAS, NEVADA 89101  
PHONE: 702.735.1111  
FAX: 702.735.1112

**Caballos de Oro**  
**CONDOMINIUMS**  
**NEVADA**  
**LAS VEGAS**

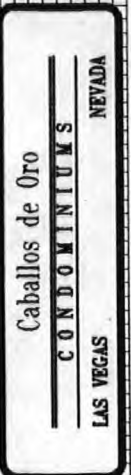
DRAWN BY: LHM  
DATE: 11-30-05  
REVISIONS:

**ARCHITECTURAL**  
**A4.2**  
**BUILDING 2 ELEVATIONS**



**KEYED NOTES**

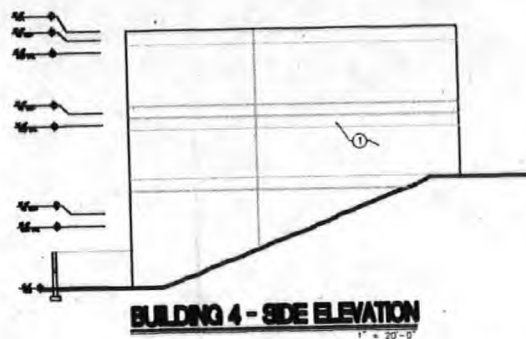
1. STUCCO SYSTEM, SEE DETAILS.
2. STUCCO, POP-OUT, TYPICAL.
3. WINDOW UNIT, RET. UNIT PLUMB.
4. DOOR, RET. UNIT PLUMB.
5. LOW STUCCO WALL AT PANEL.
6. GATE.
7. FINISH.
8. 16'-0" W. x 8'-0" H. OVERHEAD GARAGE DOOR, TYP.
9. STUCCO CORNER JOINT, TYPICAL. FINISH AT ALL CORNERS AND WINDOWS.



ZON-11031 WVR-12368  
MOD-11027  
VAR-11030 SDR-11034  
04/27/06 PC

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#### KEYED NOTES

1. STUCCO SYSTEM BY 1/2\"/>

ZON-11031

WVR-12368

MOD-11027

VAR-11030

SDR-11034

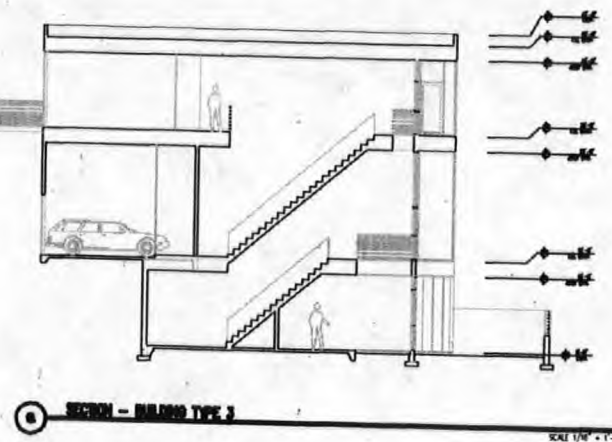
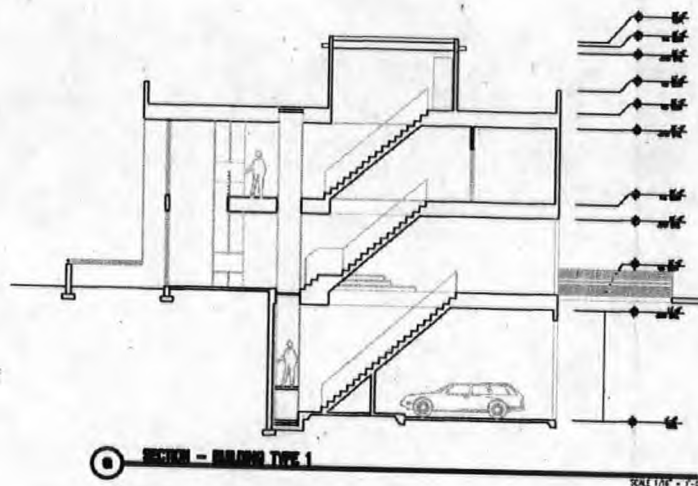
04/27/06 PC

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MAR 14 2006

**ERIC MILLER ARCHITECT AIA**  
ONE MILLER PARKWAY  
 LAS VEGAS, NEVADA 89169  
 PHONE 702.735.1234

**Caballos de Oro**  
**CONDOMINIUMS**  
 LAS VEGAS, NEVADA

**ARCHITECTURAL**  
**A4.4**  
 BUILDING 4 ELEVATIONS



ZON-11031 WVR-12368  
 MOD-11027  
 VAR-11030 SDR-11034  
 04/27/06 PC

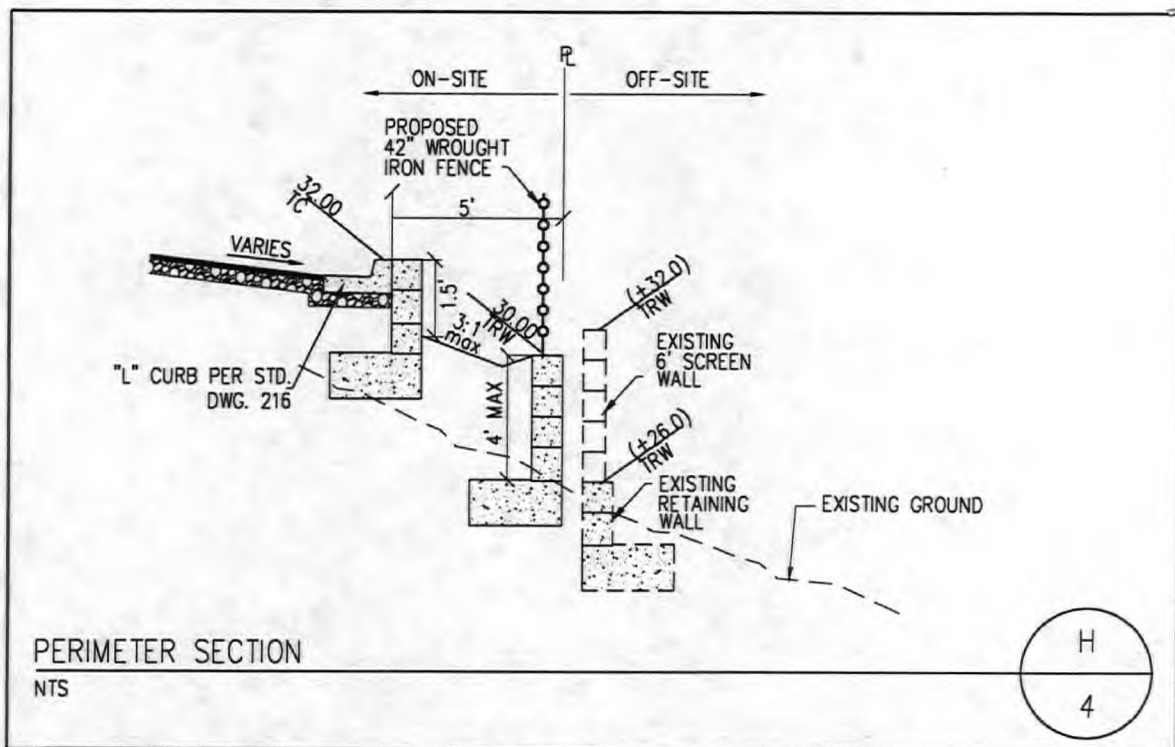
RECEIVED  
 MAR 14 2006

ERIC MILLER ARCHITECT, AIA  
 1000 S. POWER AVENUE, SUITE 200  
 LAS VEGAS, NEVADA 89101  
 PHONE: 702.735.7800  
 FAX: 702.735.7801

Caballos de Oro  
 CONDOMINIUMS  
 LAS VEGAS  
 NEVADA

DESIGNED BY: LHM  
 DATE: 11-30-05  
 REVISIONS:

ARCHITECTURAL  
 A5.2  
 BUILDING SECTIONS



SDR-11034  
04/27/06 PC





MOD-11027, ZON-11031, WVR-12368, VAR-11030, VAC-12255 & SDR-11034 - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC  
WEST OF THE INTERSECTION OF CHEYENNE AVENUE AND THE I-215 BELTWAY  
MAY 25, 2006 PLANNING COMMISSION

04/14/06



MOD-11027, ZON-11031, WVR-12368, VAR-11030, VAC-12255 & SDR-11034 - APPLICANT: ERIC MILLER - OWNER: CABALLOS DE ORO ESTATES, LLC  
WEST OF THE INTERSECTION OF CHEYENNE AVENUE AND THE I-215 BELTWAY  
MAY 25, 2006 PLANNING COMMISSION

04/14/06



**CURRAN & PARRY**  
**ATTORNEYS AT LAW**

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SUSAN L. JOHNSON  
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MAREN PARRY

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curranparry@curranparry.com

March 14, 2006

Doug Rankin  
CITY OF LAS VEGAS  
DEVELOPMENT SERVICES CENTER  
731 South 4th Street  
Las Vegas, NV 89101

**RE: Caballos de Oro Estates/N. Side of Buckskin, 340' W. Of Cliff Shadows  
APN 137-12-301-009**

Dear Mr. Rankin:

Caballos de Oro Estates, LLC, is seeking to construct thirty Townhomes within a loft-style, gated community on five acres of property located on the north side of Buckskin Avenue, approximately 340 feet west of Cliff Shadows. The project is designed to complement the scenic backdrop provided by the hillside, and act as an architectural transition to the existing commercial and residential development to the east, and the civic district to the south. In order to develop a project which fits the area, the applicant respectfully requests that the Planning Commission and City Council consider and approve the deviations from the current code which are necessary to accomplish the proposed design in this unique area. Specifically, this includes a change in the property's current zoning from U(PCD) to PD (ZON 11031), a Major Modification (MOD 11027) and Site Development Plan Review (SDR 11034) to allow for the construction of attached residential units with 3-story elements, a Variance (VAR 11030) to allow the structures to exceed the 35-foot maximum allowed within the zone, a Vacation of government Patent Easement, and a Waiver of Title 18 to allow 24-foot streets where 37 feet are required.

The applicant requests that the zoning of the property be changed from U(PCD) to PD, and for a Major Modification to the Master Development Plan and Development standards to allow the construction of 3-story, attached, residential structures. The current U, or Undeveloped, Designation is designed to serve as a temporary zoning classification to be used until the property is ready for development into a more intense, and permanent use. The applicant's request that the property be rezoned to PD is a conforming classification within the property's PCD General Plan designation, and is the natural request for this area. The purpose of the Planned Development District is to permit and encourage comprehensively planned developments that will assist the City in achieving its development goals. Specifically in line with these goals, the proposed project provides for a creative, yet orderly, arrangement of land uses that are harmonious and beneficial to the community. The property's U designation is to prevent the haphazard and premature

**ZON-11031 WVR-12368**

**MOD-11027**

**VAR-11030 SDR-11034**

**04/27/06 PC**

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MAR 14 2006



Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 2

redevelopment of the property, and a change of this designation at this time to PD fulfills that purpose by encouraging comprehensively planned developments like the proposed project.

The land adjacent to the southern half of the property was recently rezoned from U(PCD) to PD, and a large portion of the property to the east of the proposed project has already been developed residentially under PD standards. The very nature of the U designation contemplates a change to a zoning classification which conforms to the General Plan, at a time when development is appropriate for the area. As development has essentially reached the borders of the property, the requested change promotes appropriate growth in a manner that allows the City to ensure that the project furthers its vision for the area. The property upon which the proposed project is located is at the base of a hill, and has an upward-sloping elevation. The use of attached units will allow for a more cohesive blend into the hillside, rather than dotted units separated by wasted space, and provide a less invasive disruption of the natural terrain. The 3-story element will complement the site's natural verticality and allow the development to blend into the varying elevations present in the hillside. As a residential development, the project is compatible with the nearby PD residences, yet is sympathetic and coordinated in its architectural style and construction materials with the hillside upon which it sits.

The Las Vegas community continues to grow at a rapid rate, necessitating development of land that in the past might have been overlooked because of slope or other natural impediments to traditional development; coping with these problems increases the cost of development significantly. The increasing cost of land and development have made higher-density residential developments a necessity. While the area is not completely built out, the necessary commercial support is, or will be available, prior to the completion of the project. In areas where infrastructure is currently in the development stages, it is essential to take advantage of available developable area, rather than in new areas where development will be established without the necessary support structure. The overall design for the project provides an attractive alternative to traditional detached residential development, and provides a unique buffer between the hillside and the nearby residential property. Further, in the event that nearby public land is eventually released for sale to the public, the proposed project will provide a pleasing buffer and precedent for growth.

The project is consistent with the intent of the General Plan, and only varies from the requirements of the Code in aspects where conformance would be detrimental to the appropriateness and attractiveness of the project in light of its unique placement and topography. In order to respect the character of the hillside, the applicant is requesting a variance to allow construction which exceeds the 35-foot maximum height established by the development code. For safety purposes, the Fire Marshall has requested that the height of certain structures be increased to allow for better access to the property by fire and emergency vehicles. While development may have been possible within the 35-foot standard prior to this request, to protect the welfare of the residents of the development, an extension of this height, and thus a Variance, is absolutely

ZON-11031    WVR-12368  
                  MOD-11027  
VAR-11030    SDR-11034  
                  04/27/06 PC

Doug Rankin  
Re: Caballos de Oro  
March 14, 2006  
Page 3

necessary for the protection of the welfare of the residents. The exceptional topographic conditions and drainage concerns which are attendant to hillside development give a peculiar result and make for exceptional practical difficulties if the zoning code is given strict adherence on this property. The intent of the height ordinance is to prevent looming structures which overshadow nearby residences, and which are detrimental to the overall aesthetics of the neighborhood. In this case, development *with* the Variance better satisfies the intent of the code by promoting safety, reducing the impairment of the natural hillside, and by providing a structure which better blends with the hillside view of the neighbors. There is no negative impact on any neighboring property, and the project adds to the beauty and diversity of the area.

The subject property is ideally located near the Cheyenne ramp of the Las Vegas Beltway, providing excellent access to all areas of Valley by way of the interstate, or access to major surface streets. The project's design provides for a circulation pattern which draws cars away from the exterior of the project and neighboring developments, and into an interior parking system. This system decreases the road width necessary to support the project, and allows the project to utilize more of the buildable area for the residences themselves, rather than for road, thus supporting a Waiver of Title 18 to allow 24-foot roads where 37 feet is required.

The applicant has met with the Planning Department regarding an ordinance which is now being prepared, and which will, once adopted, provide for standards which specifically relate to hillside development, and take into consideration the difficulties which are attendant to projects such as these. Although not yet adopted, the applicant has designed this development taking into account the intent and spirit of these proposals.

The applicant and property owner, Caballos de Oro Estates, LLC, looks forward to providing a unique and beautiful product which will enhance the overall quality of the surrounding area, and respectfully requests approval of its applications for Rezoning, Major Modification, Variance to increase height, Vacation, Waiver of Title 18 standards, and Site Development Plan Review. Should you have any questions or concerns about this project, please feel free to contact my office for more information.

Sincerely,

CURRAN & PARRY

  
Maren Parry

MP/wmj

ZON-11031    WVR-12368  
MOD-11027  
VAR-11030    SDR-11034  
04/27/06 PC

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



# Telephone Protest/ Approval Log

Meeting Date: 04/27/06

Case Number: SDR-11034

WVR-12368, VAR-11030, MD-11027

Date: 04/17/06

Name: LOIS FRETZ

Address: 3411 Cactus mnt St

L.V. NV 89128

Phone: 255-1747



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

ITEM # 32

CASE # SDR-11034

PC MEETING 42706 P

PLANNING + Development Dept,

APR 18 2006

I have an objection to:

SDR-11034

VAR-11030

ZON 11031

MOO-11027

WVR-12368

I Live across in Cliff Shadow & was told that  
No Building would be done across Cliff Shadow Pkwy.

I purchased my home paid extra for Mountain View.

I don't want to see Houses built in this Area.

Original a park was scheduled across from our unit

THANK YOU  
Harvey Langer



ITEM # 32

CASE # SDR-11034

PC MEETING 4.27.06

P

# Telephone Protest/ Approval Log

MOD-11027

Meeting Date: 4/27/06

Case Number: VAR-11030

12368

SDR-11034, 2CN-11031 WVRTE

Date: 4/20/06  
Name: Peter A Militano  
Address: 3545 Cactus Shaded  
Las Vegas NV 89129 #202  
Phone: 889-8669  
☒ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
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☐ PROTEST ☐ APPROVE

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
Phone: \_\_\_\_\_  
☐ PROTEST ☐ APPROVE  
ITEM # 32  
CASE # SDR-11034

PC MEETING 4/27/06

P



Samuel A Fitch, Jr.  
8701 W. Behrend Drive  
Peoria, Arizona 85382

RECEIVED  
APR 25 2006

Planning & Development  
Current Planning Division  
Development Services Center  
731 South Fourth Street  
Las Vegas, Nevada 89101

Attention: Mr. Gary Leobold  
Planning Supervisor

Subject: MOD-11027, WVR-12368, ZON-11031, VAR-11030,  
SDR-11034

Dear Sir:

As owner of Condominium Unit No. 101 at 3500 Cactus Shadow Rd., I wish to object to the changes proposed by Mr. Eric Miller in the subject numbered documents. The subject property should remain as is.

Very truly yours,

  
Samuel A. Fitch, Jr.  
623-566-2284

READ INTO  
THE RECORD

ITEM # 27-31  
CASE # \_\_\_\_\_  
PC MEETING 4.27.06

P

April 26, 2006

Las Vegas Planning and Development Department  
Current Planning Division  
731 South Fourth Street  
Las Vegas, NV 89101

Dear Sir or Madam:

I would like to express my opposition to several items going before the Planning Commission on April 27<sup>th</sup>, 2006. The items are MOD-11027, SDR-11034, VAR-11030, ZON-11031 and WVR-12368.

I oppose all the items on the following grounds:

When I purchased a home in the area of Cheyenne and the 215 Beltway, in the shadow of the mountains, it was largely because of the natural landscape, it is at the edge of the city limits, at the base of a mountain and would be less likely to become as over built as some of the areas in the Las Vegas valley. The original master plan for the area also called for a park and trailhead to the Southwest going up into the canyons and foothills, a sign at the curve of Cliff Shadows Parkway indicated as much. If I'm not mistaken, that area has now been largely rezoned for light commercial. I urge the commission to retain the original master plan and give the community a park and trailhead in that area.

The subject property is behind two medium sized commercial properties at the base of a very steep mountain. On the Northwest side of the subject property, adjacent to the commercial property at 3455 Cliff Shadows Pkwy, the space between the mountain and the property is extremely limited and by my layman's estimate does not provide sufficient space to put another building without cutting into the mountain. The area of McDonald Highlands in Henderson, NV is a stark example of destroying the natural beauty of the landscape in an effort to put a building on every square inch of "usable" land. I urge the City of Las Vegas to not repeat the City of Henderson's mistake.

Thank you for your consideration,



Neil Henderson  
Owner Resident  
Cliff Shadows Condominium Association

**READ INTO  
THE RECORD**

55 MAY 1 92 AM

ITEM # 27-31

CASE # \_\_\_\_\_

PC MEETING 4-26-06 PC

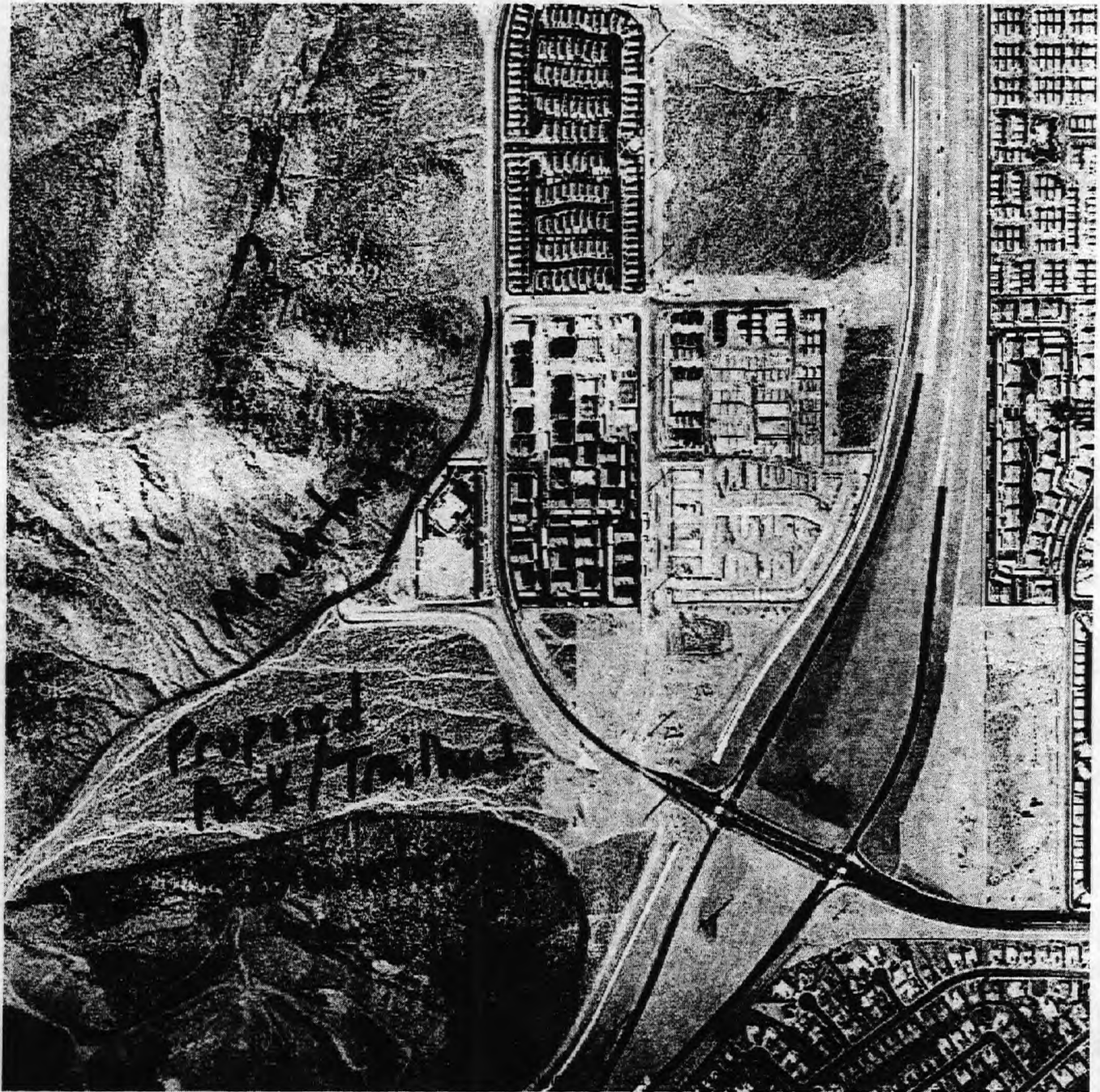
P

Google  
MADE





Google  
Maps



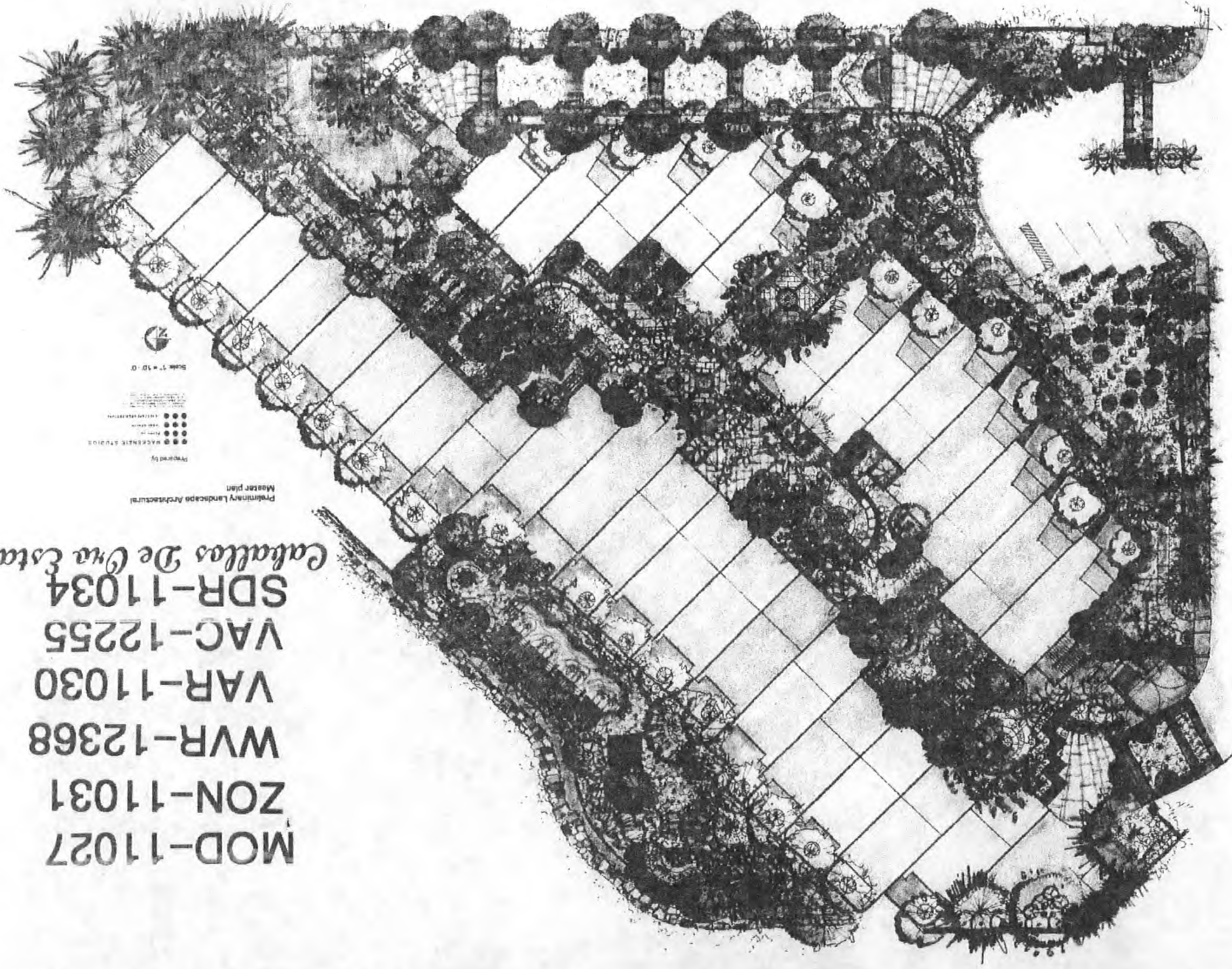
MOD-11027  
ZON-11031  
WVR-12368  
VAR-11030  
VAC-12255  
SDR-11034  
*Caballos De Oro Estates*

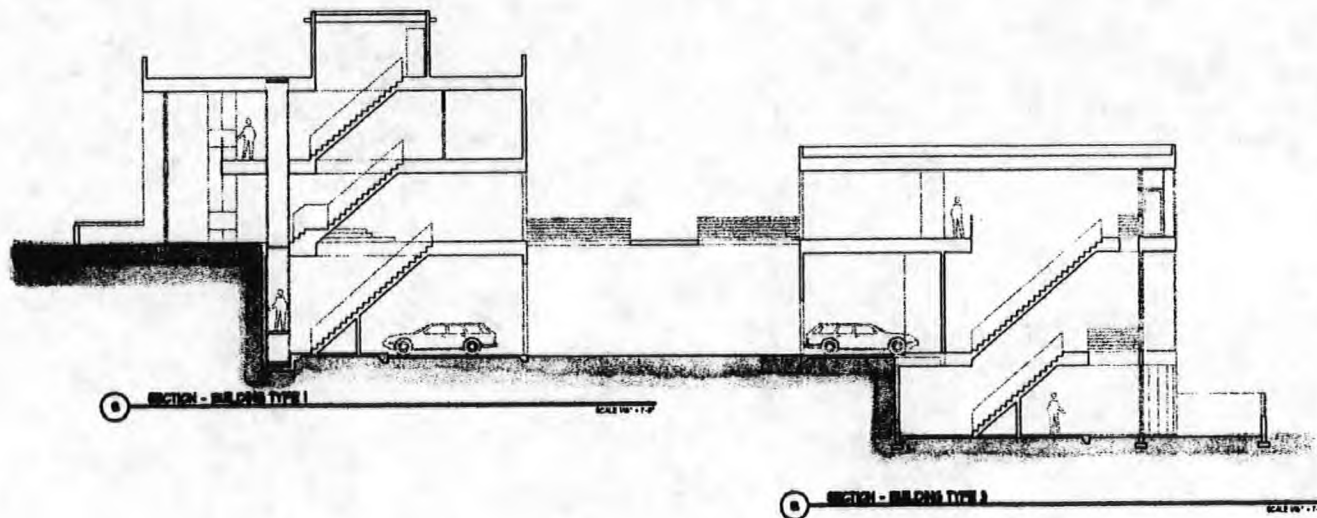
Preliminary Landscape Architectural  
Master plan

Prepared by

WACKENHUT STUDIO  
Landscape Architecture  
1000 N. 10th St.  
Suite 100  
Phoenix, AZ 85004  
Tel: (602) 254-1000  
Fax: (602) 254-1001

Scale: 1" = 10' - 0"



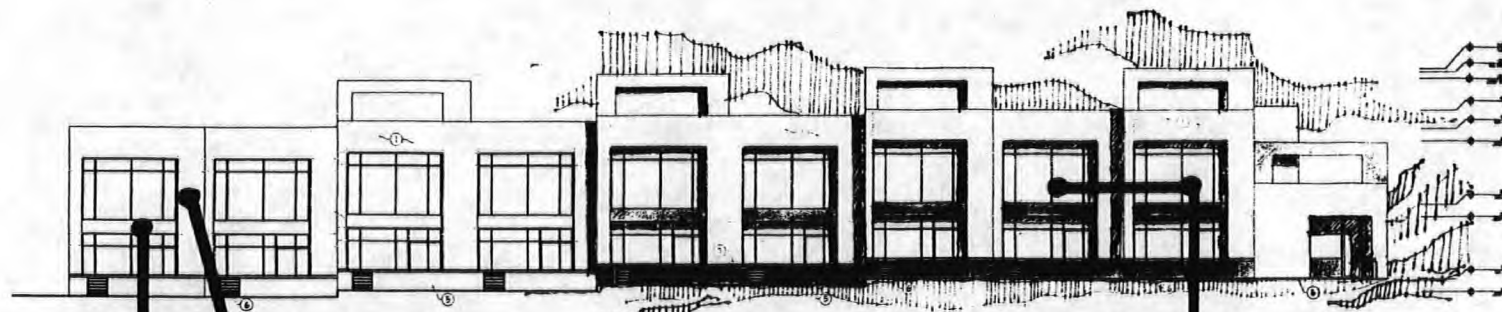


|                                                                                     |  |
|-------------------------------------------------------------------------------------|--|
|                                                                                     |  |
|  |  |
| Caballos de Oro<br>CONDOMINIUMS<br>LAS VEGAS, NEVADA                                |  |
| DRAWN BY: [blank]<br>DATE: 5-30-06<br>PROJECT: [blank]                              |  |
| ARCHITECTURAL<br><b>A5.2</b><br>BUILDING<br>SECTIONS                                |  |

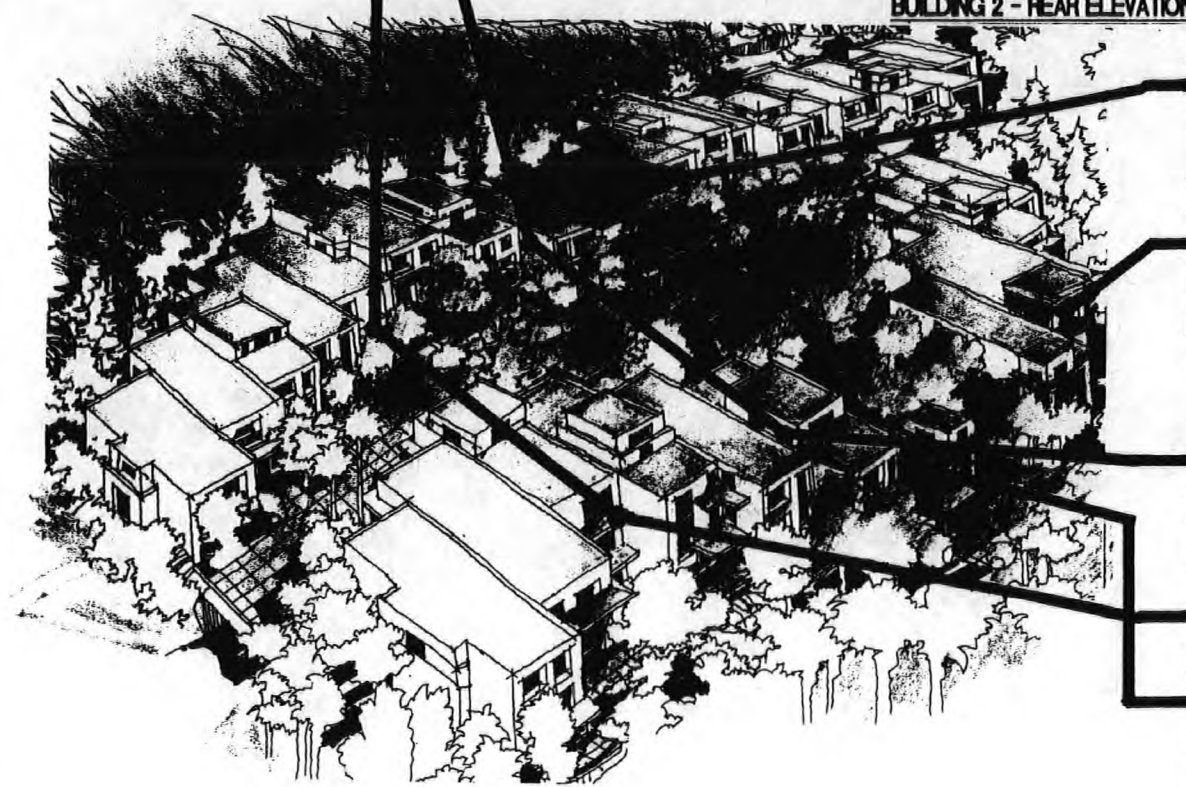
MOD-11027    ZON-11031    WVR-12368    VAR-11030    VAC-12255    SDR-11034

Submitted to Planning Commission  
 Date 5/25/06 Item #15-20





BUILDING 2 - REAR ELEVATION



DUNN-EDWARDS  
DE 6062  
TEA BAG  
LRV 12



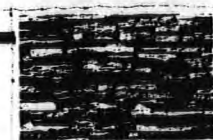
DUNN-EDWARDS  
DE 6303  
SKY-GLASS  
LRV 64



DUNN-EDWARDS  
DE 6156  
MARBLE DUST  
LRV 73

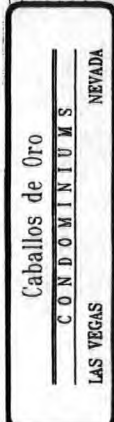


DUNN-EDWARDS  
DE 6221  
FLINSTONE  
LRV 43



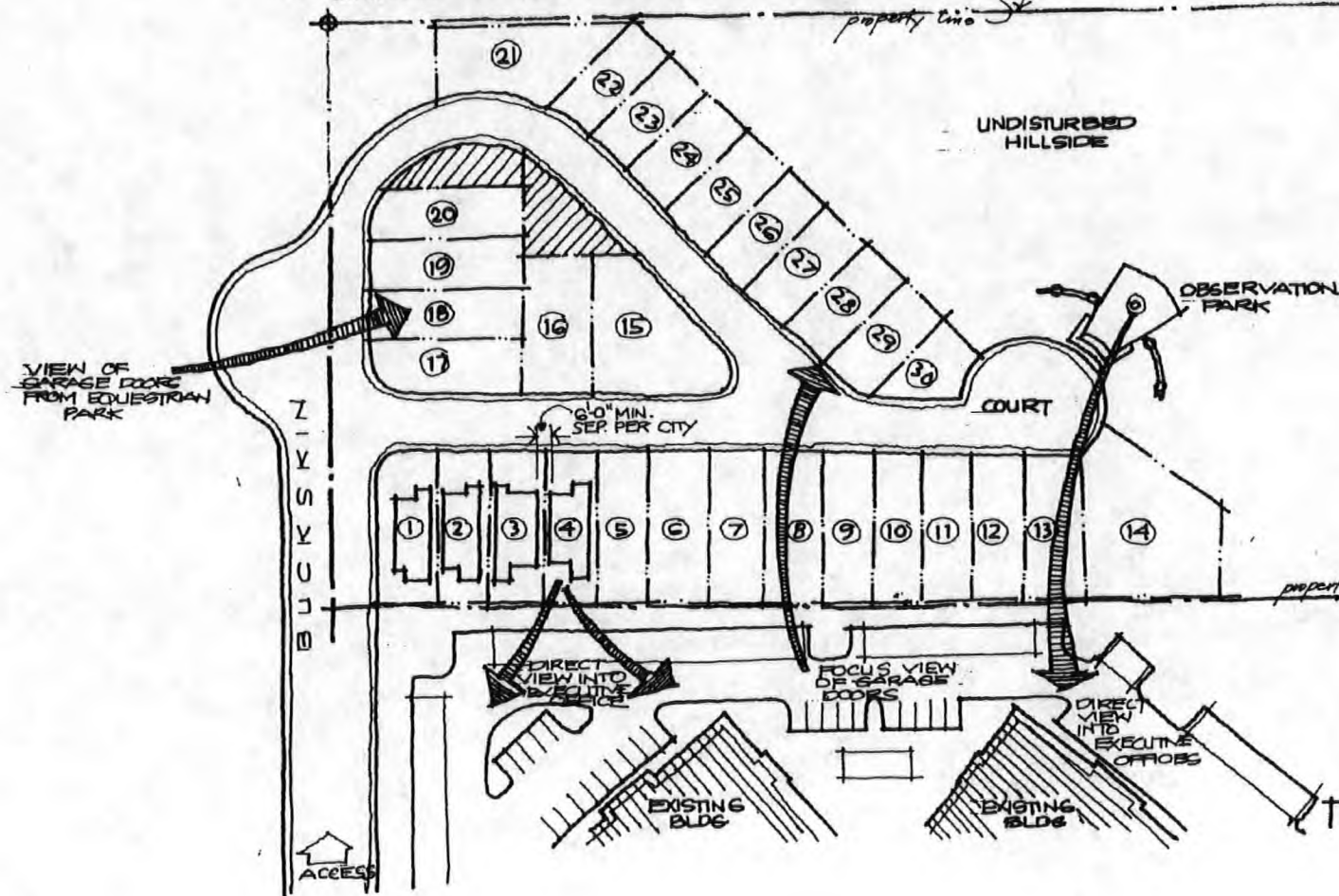
CULTURED STONE  
CAROLINA LEDGESTONE  
SILVER SAND  
CSV-7001

MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034



# CONCEPTUAL PLAN

SINGLE FAMILY DETACHED EMA 05-23-06 NTS



MOD-11027 ZON-11031 WVR-12368 VAR-11030 VAC-12255 SDR-11034

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

**REZONING**

**ZON-12932 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA EQUITIES, LLC - Request for a Rezoning FROM: R-1 (SINGLE FAMILY RESIDENTIAL) TO: R-3 (MEDIUM DENSITY RESIDENTIAL) on a 0.29-acre portion of a 4.14-acre site at the northeast corner of Torrey Pines Drive and Garwood Avenue (a portion of APN 138-35-517-000), Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL**

**PROTESTS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**APPROVALS RECEIVED BEFORE:**

**Planning Commission Mtg.**   
**City Council Meeting**

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**TARKANIAN - APPROVED subject to conditions - UNANIMOUS with REESE not voting**

**MINUTES:**

MAYOR GOODMAN declared the Public Hearing open for Item 139 [ZON-12932], Item 140 [VAR-12933], Item 141 [VAR-13352], Item 142 [VAC-12934] and Item 143 [SDR-12930].

CRAIG BURR, 4455 South Pecos Road, and DAVID TURNER, project engineer, appeared on behalf of the applicant. MR. BURR explained that the Nevada Department of Transportation had claimed the property for the US 95 expansion and demolished six buildings. The applicant had purchased the property and was attempting to replace the 36 demolished units with 32 units in the vacant area. MR. BURR pointed out that the density had been reduced so the front yard setback was no longer an issue and the remaining rear yard setback variance along US 95 would be approximately 18 and a half feet where 20 feet is required. Regarding the residential adjacency setback, MR. BURR stated that the proposal would satisfy that requirement if measured from the highest point of the building rather than the edge of the building.

TOM McGOWAN, Las Vegas resident, pointed out optical illusions are not sufficient grounds to grant a variance and questioned the disparity between staff's and the Planning Commission's recommendations.

In response to JENNIFER OCAMPO'S question, MR. BURR stated the applicant hoped to begin the project in January 2007.

COUNCILWOMAN TARKANIAN thanked the applicant for working with her office and the



CITY COUNCIL MEETING OF: JUNE 21, 2006

**MINUTES - continued:**

neighbors.

Regarding Item 143 [SDR-12930], MARGO WHEELER, Director of Planning and Development Department, suggested the elimination of Condition 4 because the required changes have been made and also amended Condition 3 to reflect the appropriate site plan and landscaping and building elevations. MR. BURR agreed to the amended conditions.

MAYOR GOODMAN declared the Public Hearing closed for Item 139 [ZON-12932], Item 140 [VAR-12933], Item 141 [VAR-13352], Item 142 [VAC-12934] and Item 143 [SDR-12930].

(2:15 - 2:25)

3-1628

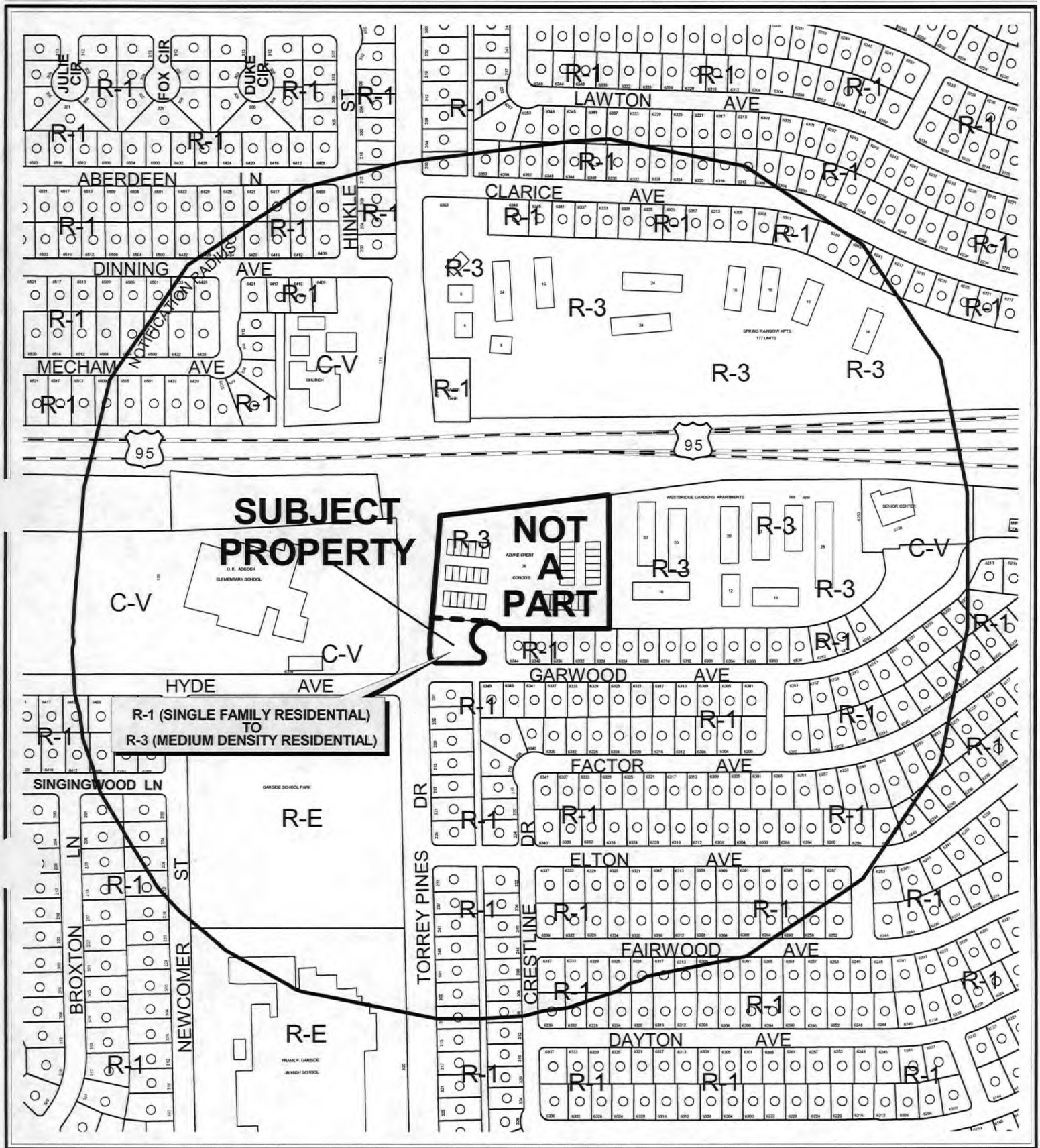
**CONDITIONS:**

Planning and Development

1. A Resolution of Intent with a two-year time limit is hereby granted.

Public Works

2. The submitted petition of Vacation VAC 12934, shall record prior to the issuance of any building permits or the recordation of a Final Map for this site, whichever may occur first.
3. Coordinate with the City Surveyor to determine the appropriate mapping required to establish property boundaries as proposed for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
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-12932**

**RADIUS: 1000 FT**

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

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**

0 400 800 Feet







**CASE: ZON-12932**

**RADIUS: 1000 FT**

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

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**

0 400 800 Feet





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: ZON-12932 - APPLICANT/OWNER: NEVADA EQUITIES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. A Resolution of Intent with a two-year time limit is hereby granted.

**Public Works**

2. The submitted petition of Vacation VAC-12934, shall record prior to the issuance of any building permits or the recordation of a Final Map for this site, whichever may occur first.
3. Coordinate with the City Surveyor to determine the appropriate mapping required to establish property boundaries as proposed for this site prior to the issuance of any permits; comply with the recommendations of the City Surveyor.
4. Remove all substandard public street improvements and unused driveway cuts adjacent to this site, if any, and replace with new improvements meeting current City Standards concurrent with development of this site.
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.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The request is for a Rezoning from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a 0.29 acre portion of a 4.14-acre site at the northeast corner of Torrey Pines Drive and Garwood Avenue. Two related Variances (VAR-12933 & VAR-13352), Vacation (VAC-12934), and Site Development Plan Review (SDR-12930) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The 0.29 acre subject site is a portion of an existing 4.14 acre condominium development to the north. The related Site Development Plan Review (SDR-12930) indicates that two six-unit condominium buildings will be developed on the subject site.

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with the remainder of the existing condominium development, which is also zoned R-3 (Medium Density Residential).

Therefore, while the related Variances (VAR-12933 & VAR-13352), Vacation (VAC-12934), and Site Development Plan Review (SDR-12930) are not recommended, the proposed rezoning is recommended to allow for consistency with the remainder of the condominium development.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/10/99 | The City Council denied a request for Rezoning (Z-0015-99) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a portion of the site. The Planning Commission and staff recommended approval on 3/25/99.                                                           |
| 05/05/04 | The City Council approved a Rezoning (ZON-3708) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue. The Planning Commission and staff recommended approval on April 8, 2004. |
| 06/10/04 | The Planning and Development Department approved a Site Development Plan Review (SDR-4318) for a 36-unit multi-family development.                                                                                                                                                         |

- 05/25/06 The Planning Commission recommended approval of companion items VAR-12933, VAR-13342, VAC-12934 and SDR-12930 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #41/fs).

***B) Pre-Application Meeting***

- 03/15/06 Issues discussed included the need for setback Variances, as well as general Rezoning, Variance, and Site Development Plan Review application requirements.

***C) Neighborhood Meetings***

- 05/09/06 A neighborhood meeting sponsored by the applicant was held at the Emerald Crest Clubhouse at 100 S. Crestline Drive. City staff was not present at this meeting; however, the applicant stated that the four persons in attendance had the following concerns:

- Wanted to see the three-foot block wall along Torrey Pines and Garwood raised.
- Concerns about increased traffic.
- Pleased with the clean-up of the area.

Overall, the applicant stated that the residents indicated that the project was acceptable.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 0.29

***B) Existing Land Use***

Subject Property: Undeveloped  
North: Multi-family Residential  
South: Single-family Residential  
East: Single-family Residential  
West: Elementary School



**C) Planned Land Use**

Subject Property: M (Medium Density Residential)  
North: M (Medium Density Residential)  
South: L (Low Density Residential)  
East: L (Low Density Residential)  
West: PF (Public Facilities)

**D) Existing Zoning**

Subject Property: R-1 (Single Family Residential)  
North: R-3 (Medium Density Residential)  
South: R-1 (Single Family Residential)  
East: R-1 (Single Family Residential)  
West: C-V (Civic District)

**E) General Plan Compliance**

The subject site is located within the Southwest Sector of the General Plan with a M (Medium Density Residential) land use designation, which allows for residential development of up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the General Plan designation.

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

The subject site is not located within any special district or zone

**F) Density**

| <i><b>EXISTING ZONING</b></i> | <i><b>PERMITTED DENSITY</b></i> | <i><b>PROPOSED ZONING</b></i> | <i><b>PERMITTED DENSITY</b></i> | <i><b>GENERAL PLAN</b></i> | <i><b>PERMITTED DENSITY</b></i> |
|-------------------------------|---------------------------------|-------------------------------|---------------------------------|----------------------------|---------------------------------|
| R-1                           | 6.70 du/ac                      | R-3                           | Up to 25.49 du/ac               | M                          | Up to 25.49 du/ac               |

The proposed rezoning to the R-3 (Medium Density Residential) zoning district will allow for an increase of residential density from 6.70 units per acre to 25.49 units per acre. The site plan proposes 70 lots, which will result in a density of 16.90 units per acre. Given the existing M (Medium Density Residential) Master Plan designation, the requested rezoning request is appropriate for this site.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

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

| Standards            | Required            | Provided              | Compliance |
|----------------------|---------------------|-----------------------|------------|
| Min. Lot Size        | 6,500 Feet          | 12,632 Feet           | Y          |
| Min. Setbacks        |                     |                       |            |
| • Front              | 20 Feet             | 10 Feet               | N          |
| • Side               | 5 Feet              | 20 Feet               | Y          |
| • Corner             | 5 Feet              | 20 Feet               | Y          |
| • Rear               | 20 Feet             | 17.59 Feet            | N          |
| Max. Building Height | 2 Stories / 35 Feet | 2 Stories / 23.8 Feet | Y          |

The subject site does not meet front or rear minimum setbacks, and a related Variance (VAR-12933) has been requested to provide relief from these requirements.

### B) *General Analysis and Discussion*

The applicant is seeking a rezoning from R-1 (Single Family Residential) to the R-3 (Medium Density Residential) district, which is intended for multi-family development with up to 25.49 Units per Acre. This 0.29 acre site is a portion of the existing 4.14 acre condominium development to the north. The subject site is currently a turfed area with no structures or improvements. The related Site Development Plan Review (SDR-12930) indicates that two six-unit condominium buildings will be developed on the subject site.

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the existing M (Medium Density Residential) Master Plan designation. It would also make it consistent with the remainder of the existing condominium development, which is also zoned R-3 (Medium Density Residential). Therefore, while the related Variances (VAR-12933 & VAR-13352), Vacation (VAC-12934), and Site Development Plan Review (SDR-12930) are not recommended, the proposed rezoning is recommended to allow for consistency with the remainder of the existing condominium development.

## FINDINGS

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

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

The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the exiting M (Medium Density Residential) Master Plan designation, and is therefore recommended.

**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 multi-family uses allowed on the subject property by the R-3 (Medium Density Residential) district would be consistent with the exiting multi-family residential, single-family residential and civic uses in the surrounding area.

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

Given the existing Master Plan designation of M (Medium Density Residential) on the subject site, the rezoning to the R-3 (Medium Density Residential) zoning district is appropriate for the area.

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

The site will receive access from Garwood Avenue, which is adequate in size to meet the requirements of the proposed R-3 (Medium Density Residential) zoning district.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

6

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 3

**NOTICES MAILED** 265 by Planning Department

**APPROVALS** 0

**PROTESTS** 0





## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **ZON-12932** APN: 138-35-517-001 Thru 070

Name of Property Owner: Nevada Equities, LLC

Name of Applicant: Nevada Equities, 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

☒ 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: \_\_\_\_\_

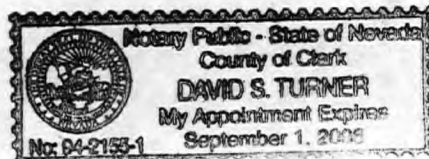
Print Name: KONN SCHUELL, MARCO

Subscribed and sworn before me

This 10<sup>th</sup> day of April, 2006

D. S. Turner  
Notary Public in and for said County and State

Revised 12-03-04



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

|                                                                                                                                                                                              |                                                                                     |                                                                                                                                                                                                |                                                                                                                                                       |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>EMERALD CREST</b><br/>SITE PLAN</p> <p>SECTION 33, TOWNSHIP 23 NORTH, RANGE 30 EAST, S44E 1E.<br/>CITY OF LAS VEGAS</p> <p><b>TRUSTEES FRED H. AND CAROL ANN WILF</b> 975-950-0040</p> |  | <p><b>BAUGHMAN &amp; TURNER, INC.</b></p> <p>CIVIL ENGINEERS LAND SURVEYORS</p> <p>1210 HARMONY STREET<br/>LAS VEGAS, NEVADA 89102-5600</p> <p>PHONE (702) 735-2000<br/>FAX (702) 735-2000</p> | <p><b>EMERALD CREST, LLC</b></p> <p>10000 W. LAS VEGAS BLVD. SUITE 100<br/>LAS VEGAS, NV 89135</p> <p>PHONE (702) 735-2000<br/>FAX (702) 735-2000</p> |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|

***Baughman & Turner, Inc.***

*Consulting Engineers & Land Surveyors*

1210 HINSON ST.  
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771  
FAX (702) 878-2695

April 11, 2006

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

**RE: Emerald Crest Condominiums**

To Whom It May Concern,

Please let this letter serve as a justification for a Re-zoning from R-1 to R-3, for a proposed addition to the above referenced condominium complex. The 4.36 acre site lying at the Northeast corner of Garwood Ave & Torrey Pines Drive represents APN's 138-35-517-001 - 070. Additionally the site is bordered by I-95 to the North, an existing apartment complex to the East, and a R-1 subdivision to the South.

The proposed project will have 70 - 2 bedroom units (36 existing and 34 proposed) representing a 16 dwelling unit per acre density. The Southwesterly 100 feet of the site is currently zoned R-1, although it has always been a part of the site. The ongoing I-95 expansion, condemned a portion of the site, eliminating 6 buildings, representing 36 units. The applicant is looking to gain back some of these units while at the same time upgrading the existing units.

We feel this project will enhance the area, and the approval of this project will not have a negative affect on the environment, or general welfare of the public or surrounding area.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,  
**Baughman & Turner, Inc.**



David S. Turner  
President

DST/nl

**ZON-12932  
05/25/06 PC**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

VARIANCE RELATED TO ZON-12932

VAR-12933 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA EQUITIES, LLC - Request for a Variance TO ALLOW A 10-FOOT FRONT YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED AND TO ALLOW A 17-FOOT REAR YARD SETBACK WHERE 20 FEET IS THE MINIMUM SETBACK REQUIRED on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue (APN 138-35-517-000), R-3 (Medium Density Residential) Zone and R-1 (Single Family Residential) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**TARKANIAN - APPROVED subject to conditions - UNANIMOUS**

**MINUTES:**

NOTE: See Item 139 [ZON-12932] for all related discussion.

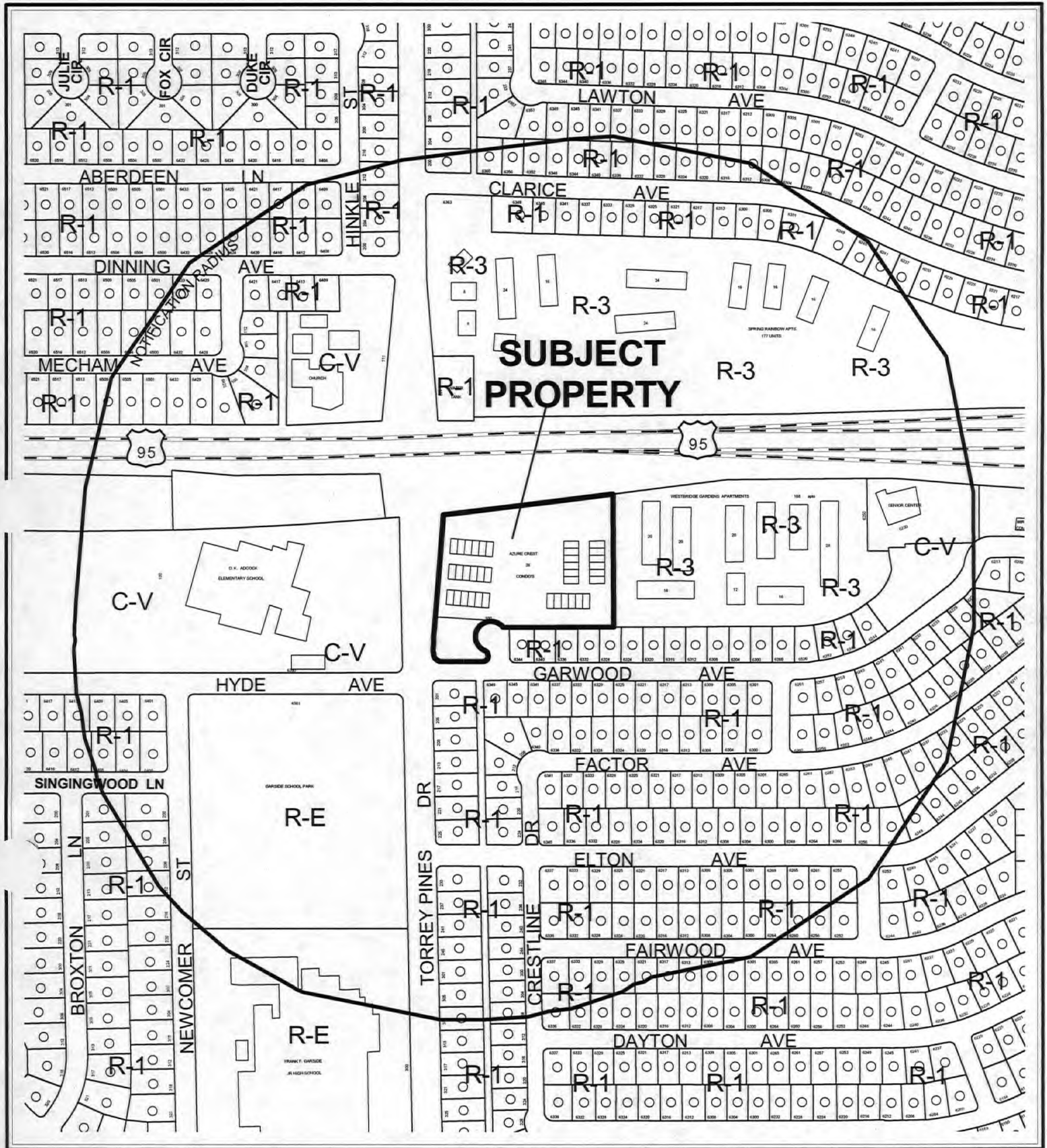
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3-1628

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), and Site Development Plan Review (SDR-12930) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**CASE: VAR-12933**

**RADIUS: 1000 FT**

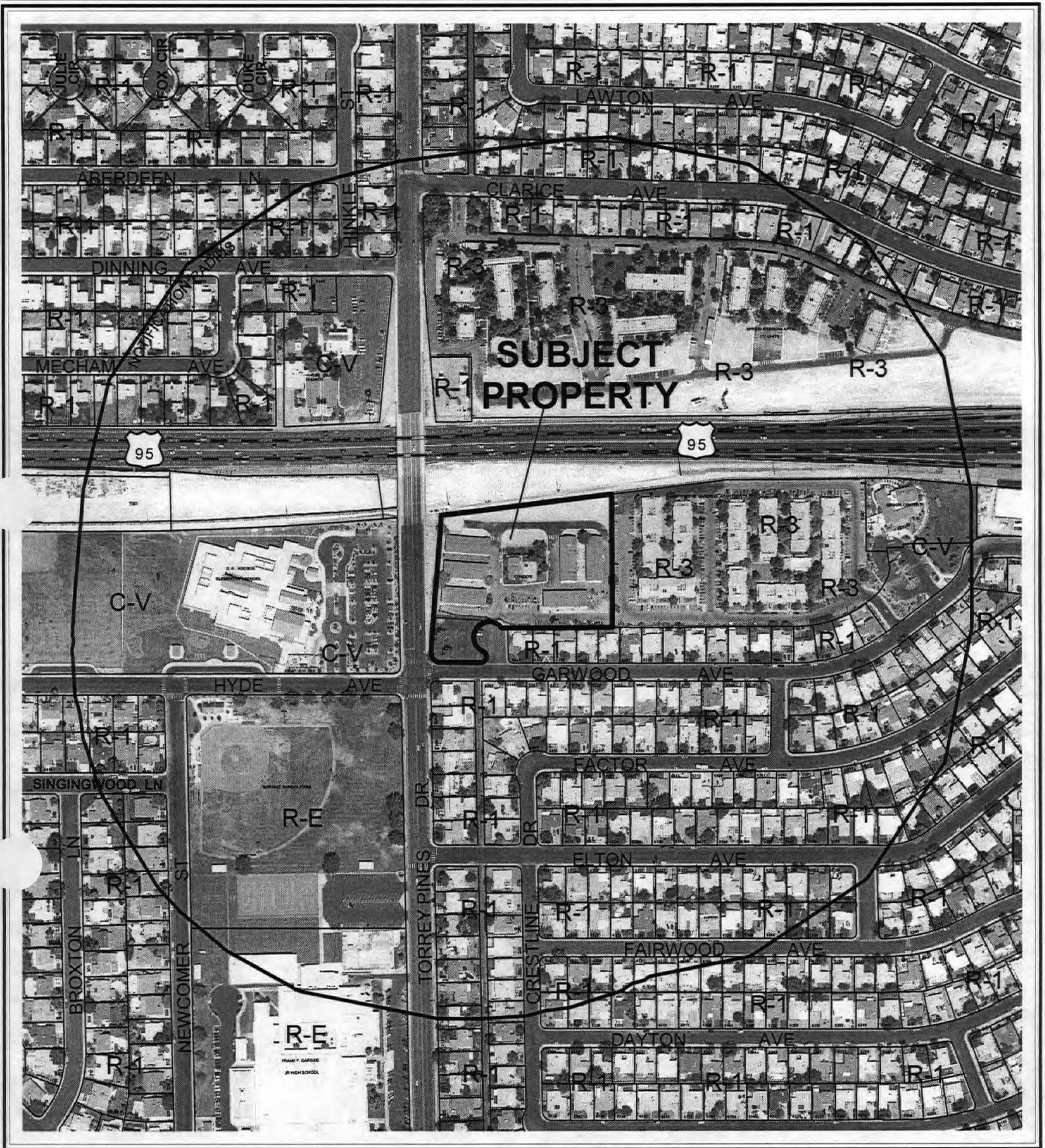
**ZONING OF SUBJECT PROPERTY: R-1 (SINGLE FAMILY RESIDENTIAL)**

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**

0 400 800 Feet







**CASE: VAR-12933**

**RADIUS: 1000 FT**

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

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**





**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAR-12933 - APPLICANT/OWNER: NEVADA EQUITIES, LLC**

---

**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), and Site Development Plan Review (SDR-12930) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The request is for a Variance to allow a 10-foot front yard setback where 20 feet is the minimum setback required, and to allow a 17-foot rear yard setback where 20 feet is the minimum setback required on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue. A related Rezoning (ZON-12932), Variance (VAR-13352), Vacation (VAC-12934), and Site Development Plan Review (SDR-12930) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The provided site plan indicates that a 10-foot front yard setback is provided for Buildings 1 and 2 where 20 feet is the minimum allowed, and a 17-foot rear yard setback is provided for Building 6 where 20 feet is the minimum allowed. This request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Redesign of the site would allow for conformance with Title 19 requirements.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/10/99 | The City Council denied a request for Rezoning (Z-0015-99) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a portion of the site. The Planning Commission and staff recommended approval on 3/25/99.                                                           |
| 05/05/04 | The City Council approved a Rezoning (ZON-3708) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue. The Planning Commission and staff recommended approval on April 8, 2004. |
| 06/10/04 | The Planning and Development Department approved a Site Development Plan Review (SDR-4318) for a 36-unit multi-family development.                                                                                                                                                         |
| 05/25/06 | The Planning Commission recommended approval of companion items ZON-12932, VAR-13352, VAC-12934 and SDR-12930 concurrently with this application.                                                                                                                                          |
| 05/25/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #42/fs).                                                                                                                                                                                                           |

***B) Pre-Application Meeting***

03/15/06 Issues discussed included the need for setback Variances, as well as general Rezoning, Variance, and Site Development Plan Review application requirements.

***C) Neighborhood Meetings***

05/09/06 A neighborhood meeting sponsored by the applicant was held at the Emerald Crest Clubhouse at 100 S. Crestline Drive. City staff was not present at this meeting; however, the applicant stated that the four persons in attendance had the following concerns:

- Wanted to see the three-foot block wall along Torrey Pines and Garwood raised.
- Concerns about increased traffic.
- Pleased with the clean-up of the area.

Overall, the applicant stated that the residents indicated that the project was acceptable.

**DETAILS OF APPLICATION REQUEST**

***A) Site Area***

Gross Acres: 4.14

***B) Existing Land Use***

Subject Property: Undeveloped  
North: Right-of-Way (US 95)  
South: Single-family Residential  
East: Single-family Residential  
Multi-family Residential  
West: Elementary School

***C) Planned Land Use***

Subject Property: M (Medium Density Residential)  
North: Right-of-Way (US 95)  
South: L (Low Density Residential)  
East: L (Low Density Residential)  
M (Medium Density Residential)  
West: PF (Public Facilities)



**D) Existing Zoning**

Subject Property: R-1 (Single Family Residential)  
North: Right-of-Way (US 95)  
South: R-1 (Single Family Residential)  
East: R-1 (Single Family Residential)  
R-3 (Medium Density Residential)  
West: C-V (Civic District)

**E) General Plan Compliance**

The subject site is located within the Southwest Sector of the General Plan with a M (Medium Density Residential) land use designation, which allows for residential development of up to 25.49 units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the General Plan designation.

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

The subject site is not located within any special district or zone.

**ANALYSIS**

**A) Zoning Code Compliance**

**A1) Development Standards**

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

| <b>Standards</b>     | <b>Required</b>     | <b>Provided</b>       | <b>Compliance</b> |
|----------------------|---------------------|-----------------------|-------------------|
| Min. Lot Size        | 6,500 Feet          | 180,338 Feet          | Y                 |
| Min. Setbacks        |                     |                       |                   |
| • Front              | 20 Feet             | 10 Feet               | N                 |
| • Side               | 5 Feet              | 20 Feet               | Y                 |
| • Corner             | 5 Feet              | 20 Feet               | Y                 |
| • Rear               | 20 Feet             | 17.59 Feet            | N                 |
| Max. Building Height | 2 Stories / 35 Feet | 2 Stories / 23.8 Feet | Y                 |

The subject site does not meet front or rear minimum setbacks, and is the subject of this Variance (VAR-12933) request.

***B) General Analysis and Discussion***

The applicant has requested a Variance to allow a 10-foot front yard setback where 20 feet is the minimum setback required for Buildings 1 and 2, and to allow a 17-foot rear yard setback where 20 feet is the minimum setback required for Building 6. This request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Redesign of the site would allow for conformance with Title 19 requirements.

**FINDINGS**

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by attempting to overbuild the site. Alternative design 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**

6

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 3

**NOTICES MAILED** 268 by City Clerk

**APPROVALS** 0

**PROTESTS** 0





Case Number: **VAR-12933** APN: 138-35-517-001 Thru 070

Name of Property Owner: Nevada Equities, LLC

Name of Applicant: Nevada Equities, 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: \_\_\_\_\_

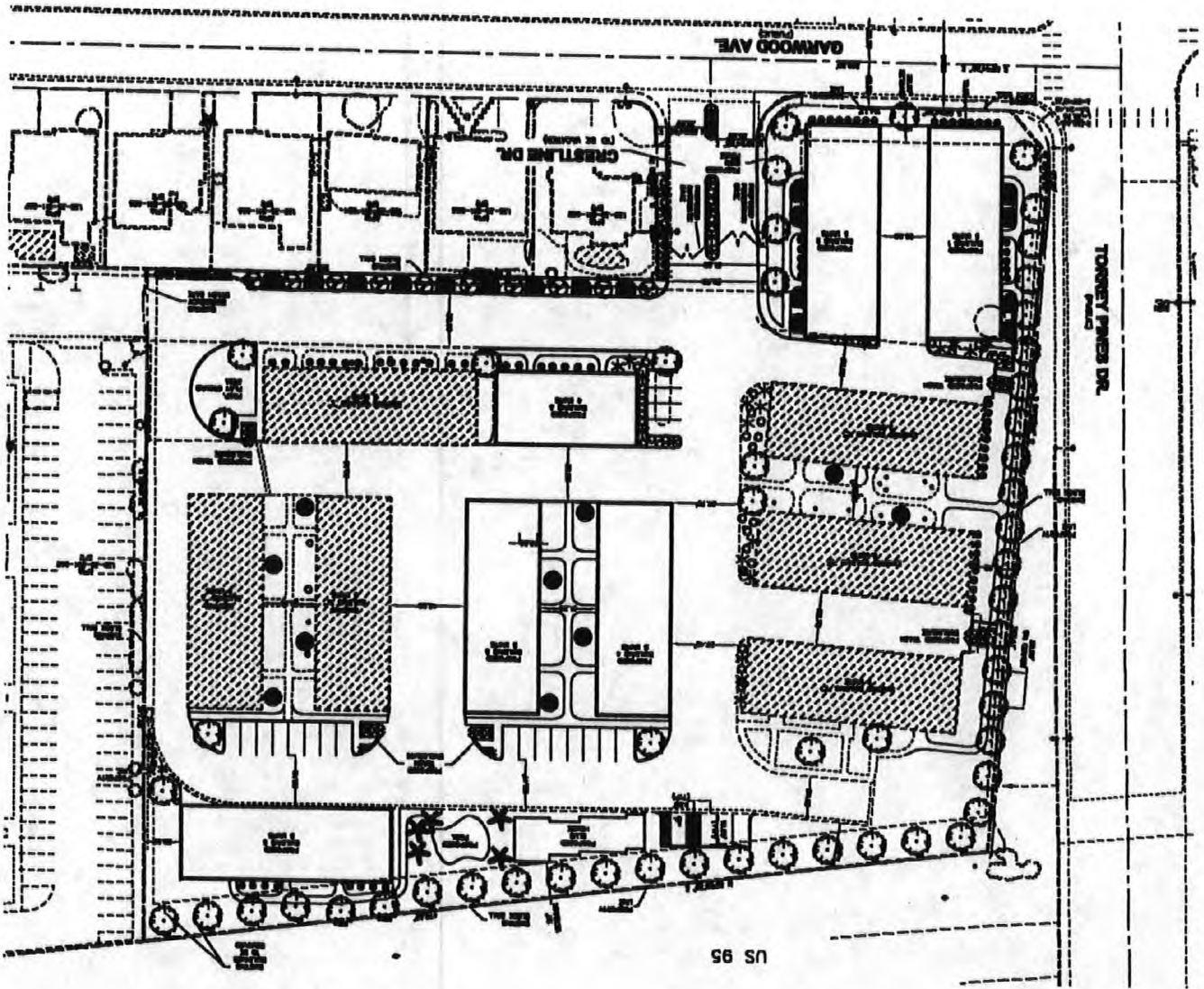
Signature of Property Owner/Authorized Agent: *[Signature]*

Print Name: KOMY SCHEELER

Subscribed and sworn before me

This 10<sup>th</sup> day of April, 2006

h. A. T.  
Notary Public in and for said County and State



US 95

VAR-12933  
RECEIVED

**SITE DATA**  
 PROJECT NO. 12933  
 DATE: 05/25/06  
 PREPARED BY: [illegible]  
 CHECKED BY: [illegible]  
 APPROVED BY: [illegible]  
 SCALE: 1" = 40' (PLAN)  
 SCALE: 1" = 80' (SECTION)  
 SHEET NO. 1 OF 1

- LEGEND**
- 1" = 40' (PLAN)
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  - 1" = 160' (SECTION)
  - 1" = 320' (SECTION)
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***Baughman & Turner, Inc.***

*Consulting Engineers & Land Surveyors*

1210 HINSON ST.  
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771  
FAX (702) 878-2695

April 11, 2006

**City of Las Vegas, Planning & Development**

731 S. Fourth Street  
Las Vegas, NV 89101

**RE: Emerald Crest Condominiums**

To Whom It May Concern,

Please let this letter serve as a justification for a Variance in conjunction with a for a proposed addition to the above referenced condominium complex. The 4.36 acre site lying at the Northeast corner of Garwood Ave & Torrey Pines Drive represents APN's 138-35-517-001 - 070. Additionally the site is bordered by I-95 to the North, an existing apartment complex to the East, and a R-1 subdivision to the South.

The proposed project will have 70 - 2 bedroom units (36 existing and 34 proposed) representing a 16 dwelling unit per acre density. The ongoing I-95 expansion, condemned a portion of the site, eliminating 6 buildings, representing 36 units. The applicant is looking to gain back some of these units while at the same time upgrading the existing units.

The variances being requested are:

- 1) Reduction in front setback (10 feet where 20 feet is required along Garwood Ave).
- 2) Reduction in rear setback (17 feet where 20 feet is required along I-95).

We feel this project will enhance the area, and the approval of these variances will not have a negative affect on the environment, or general welfare of the public or surrounding area.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,  
**Baughman & Turner, Inc.**



David S. Turner  
President  
DST/nl

**VAR-12933  
05/25/06 PC**



**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**DEPARTMENT: PLANNING & DEVELOPMENT**

**DIRECTOR: M. MARGO WHEELER**

☐ **CONSENT** ☒ **DISCUSSION**

**SUBJECT:**

VARIANCE RELATED TO ZON-12932 AND VAR-12933

VAR-13352 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA EQUITIES, LLC - Request for a Variance TO ALLOW A 52-FOOT SETBACK FROM SINGLE-FAMILY RESIDENTIAL PROPERTIES WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE A 72-FOOT SETBACK in conjunction with a proposed 34-unit addition to an existing condominium development on 4.36 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue (APN 138-35-517-000), R-3 (Medium Density Residential) Zone and R-1 (Single Family Residential) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.   
City Council Meeting

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**TARKANIAN - APPROVED subject to conditions - UNANIMOUS**

**MINUTES:**

NOTE: See Item 139 [ZON-12932] for all related discussion.

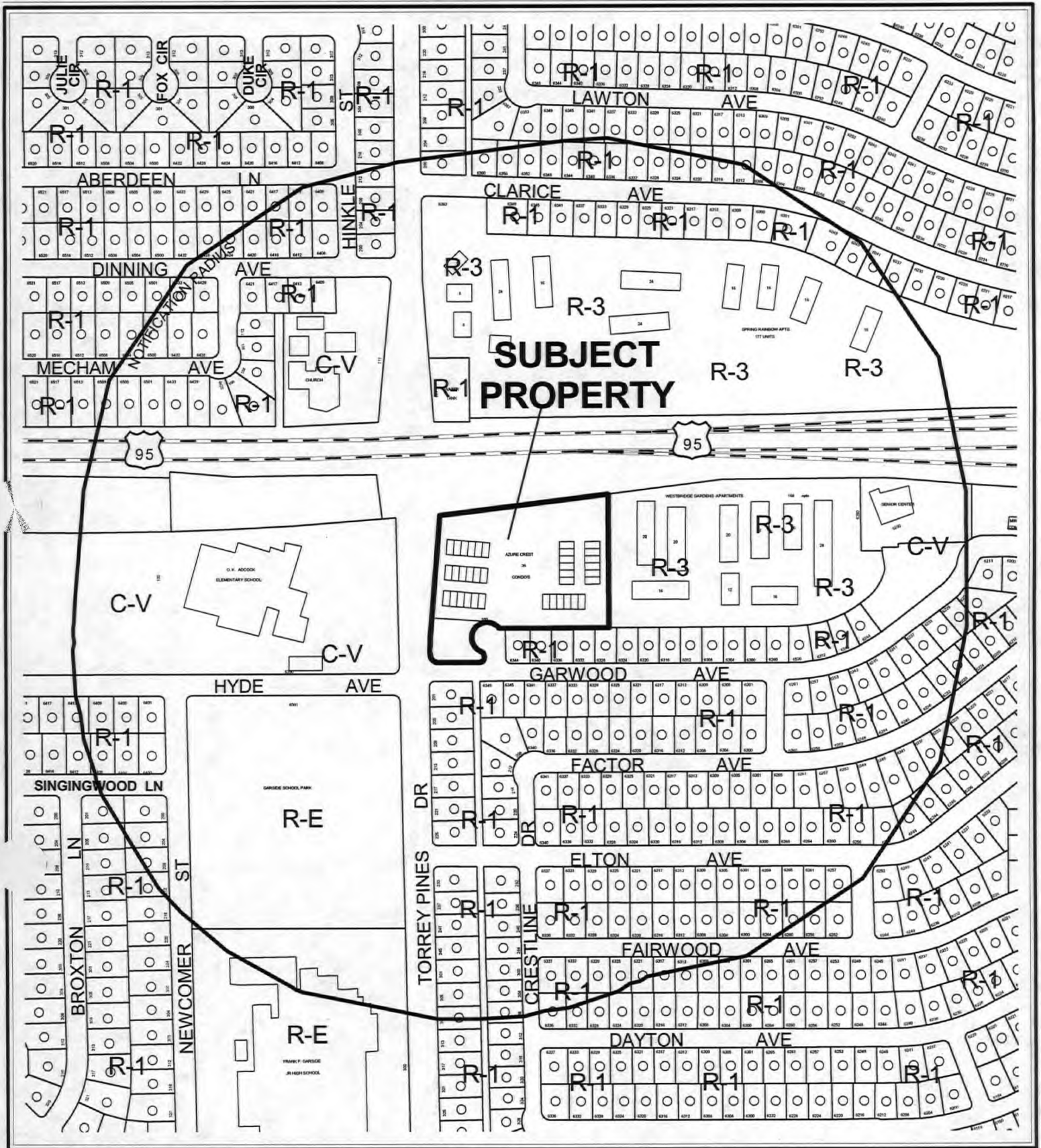
(2:15 - 2:25)

3-1628

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), and Site Development Plan Review (SDR-12930) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**CASE: VAR-13352**

**RADIUS: 1000 FT**

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

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAR-13352 - APPLICANT/OWNER: NEVADA EQUITIES, LLC**

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**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), and Site Development Plan Review (SDR-12930) shall be required.
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.



**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The request is for a Variance to allow a 52-foot Residential Adjacency setback where 63 feet is the minimum setback required on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue. A related Rezoning (ZON-12932), Variance (VAR-12933), Vacation (VAC-12934), and Site Development Plan Review (SDR-12930) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The provided site plan indicates that the proposed Building 3 does not meet Residential Adjacency 3:1 proximity slope requirements. This request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Relocation or removal of the proposed building would allow for conformance with Title 19 requirements.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/10/99 | The City Council denied a request for Rezoning (Z-0015-99) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a portion of the site. The Planning Commission and staff recommended approval on 3/25/99.                                                           |
| 05/05/04 | The City Council approved a Rezoning (ZON-3708) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue. The Planning Commission and staff recommended approval on April 8, 2004. |
| 06/10/04 | The Planning and Development Department approved a Site Development Plan Review (SDR-4318) for a 36-unit multi-family development.                                                                                                                                                         |
| 05/25/06 | The Planning Commission recommended approval of companion items ZON-12932, VAR-12933, VAC-12934 and SDR-12930 concurrently with this application.                                                                                                                                          |
| 05/25/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #43/fs).                                                                                                                                                                                                           |

**B) Pre-Application Meeting**

03/15/06 Issues discussed included the need for setback Variances, as well as general Rezoning, Variance, and Site Development Plan Review application requirements.

**C) Neighborhood Meetings**

05/09/06 A neighborhood meeting sponsored by the applicant was held at the Emerald Crest Clubhouse at 100 South Crestline Drive. City staff was not present at this meeting; however, the applicant stated that the four persons in attendance had the following concerns:

- Wanted to see the three-foot block wall along Torrey Pines and Garwood raised.
- Concerns about increased traffic.
- Pleased with the clean-up of the area.

Overall, the applicant stated that the residents indicated that the project was acceptable.

**DETAILS OF APPLICATION REQUEST**

**A) Site Area**

Gross Acres: 4.14

**B) Existing Land Use**

Subject Property: Undeveloped  
North: Right-of-Way (US 95)  
South: Single-family Residential  
East: Single-family Residential  
Multi-family Residential  
West: Elementary School

**C) Planned Land Use**

Subject Property: M (Medium Density Residential)  
North: Right-of-Way (US 95)  
South: L (Low Density Residential)  
East: L (Low Density Residential)  
M (Medium Density Residential)  
West: PF (Public Facilities)

**D) Existing Zoning**

Subject Property: R-1 (Single Family Residential)  
North: Right-of-Way (US 95)  
South: R-1 (Single Family Residential)  
East: R-1 (Single Family Residential)  
R-3 (Medium Density Residential)  
West: C-V (Civic District)

**E) General Plan Compliance**

The subject site is located within the Southwest Sector of the General Plan with a M (Medium Density Residential) land use designation, which allows for residential development of up to 25.49 units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the General Plan designation.

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

The subject site is not located within any special district or zone

**A) Zoning Code Compliance**

**A1) Residential Adjacency Standards**

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to Building 3 of the subject proposal:

- a) Proximity slope. The site is adjacent to existing single-family residential along a portion of the south property line and is affected by proximity slope requirements. Building 3 is 21 feet in height (mid-point of roof) and would need to be set back 63 feet from the property line to meet the 3:1 proximity slope. This development is setback 52 feet from the protected property line and is not in compliance with Residential Adjacency 3:1 proximity slope standards.
- b) Building setback. The minimum rear setback for the adjacent R-1 (Single Family Residential) zoning district is 15 feet. Building 3 is setback 52 feet from the protected property and is in compliance with Title 19 Residential Adjacency building setback standards.



***B) General Analysis and Discussion***

The applicant has requested a Variance to allow a 52-foot Residential Adjacency setback where 63 feet is the minimum required along a portion of the south property line. The provided site plan indicates that Building 3 does not meet Residential Adjacency 3:1 proximity slope requirements. This request cannot be supported as the applicant has created a self-imposed hardship by attempting to overbuild the site. Relocation, removal, or a reduction in height (17 feet maximum) of Building 3 would allow for conformance with Title 19 requirements.

**FINDINGS**

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

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

Additionally, Title 19.18.070L states:

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

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by attempting to overbuild the site. Alternative design 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**

6

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 3

**NOTICES MAILED** 268 by City Clerk

**APPROVALS** 0

**PROTESTS** 0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **VAR-13352** APN: 138-35-517-001 thru 070

Name of Property Owner: Nevada Equities, LLC

Name of Applicant: Nevada Equities, 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

☒ 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: \_\_\_\_\_

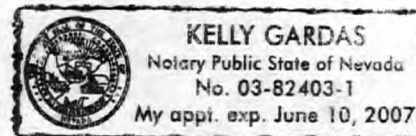
Signature of Property Owner: 

Print Name: Kory Scheeler

Subscribed and sworn before me

This 27<sup>th</sup> day of APRIL, 2006

Kelly Gardas  
Notary Public in and for said County and State







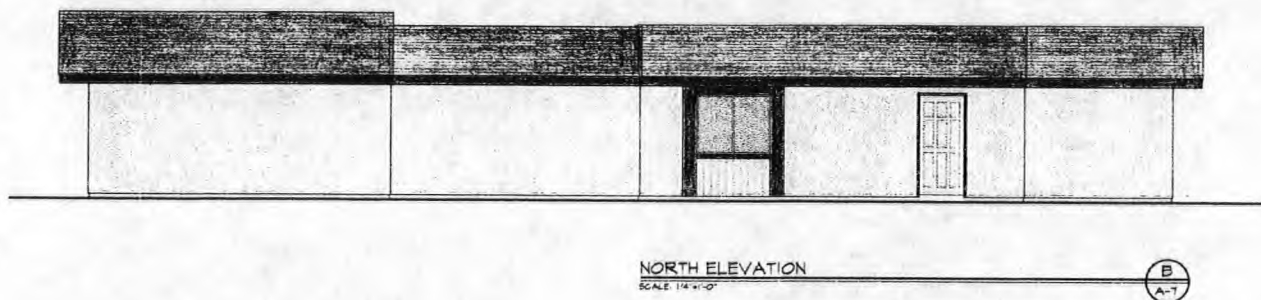
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1. E. LINE  
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 2. TO SLAB  
EL. + 100'-0"  
 FIN. GRADE

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

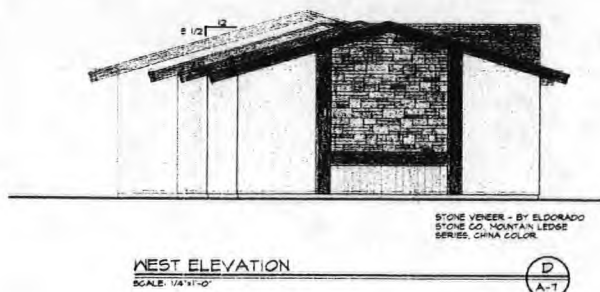
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1. E. LINE  
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EL. + 100'-0"  
 FIN. GRADE

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

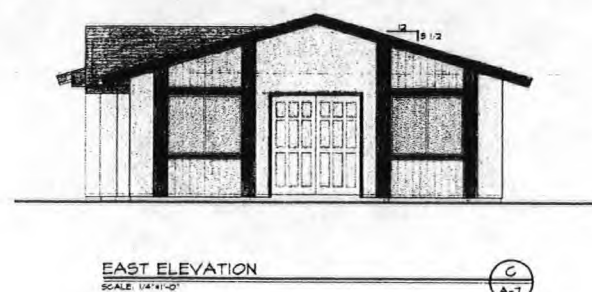
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1. E. LINE  
EL. + 105'-11"  
 2. TO SLAB  
EL. + 100'-0"  
 FIN. GRADE

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

D  
 A-7

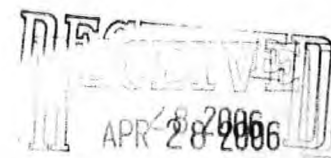


1. E. LINE  
EL. + 105'-11"  
 2. TO SLAB  
EL. + 100'-0"  
 FIN. GRADE

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

C  
 A-7

VAR-13352  
 05/25/06 PC



737-8806

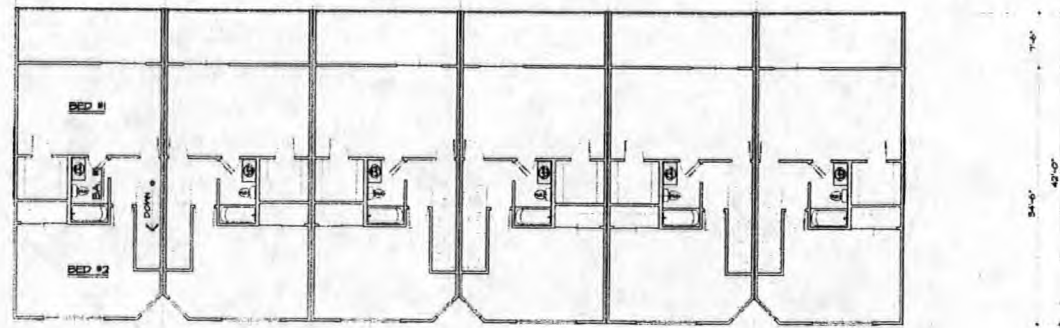
WARREN B. BUCHANAN  
 ARCHITECT  
 LAS VEGAS, NV.

WBB  
 ARCHITECT

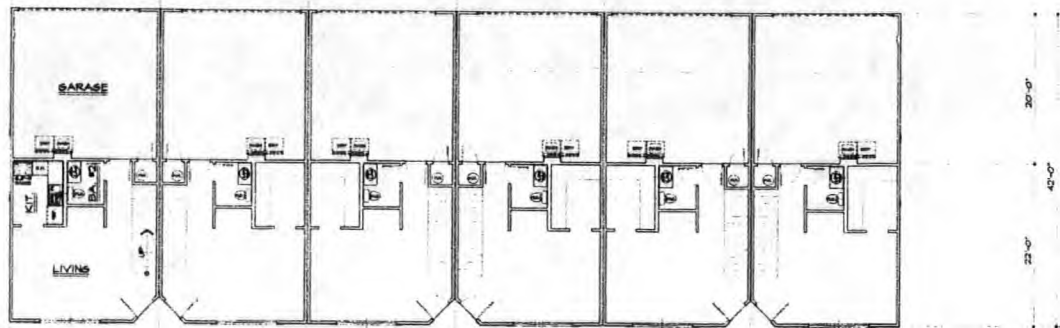
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 EXTERIOR ELEVATIONS  
 PROJECT: NEW CONDOMINIUMS  
 FOR NEVADA EQUITIES, LLC  
 100 SOUTH GRESTLINE DRIVE  
 LAS VEGAS, NEVADA

DATE: 17 MAR 06  
 SCALE: 1/4" = 1'-0"  
 DRAWN: HBB  
 CHECKED: HBB  
 103  
 SHEET: A-7  
 OF: ??

A-7 CLUB EXT. ELEVATIONS



SECOND FLOOR PLAN  
SCALE 1/8"=1'-0"



FIRST FLOOR PLAN  
SCALE 1/8"=1'-0"

**VAR-13352**  
**05/25/06 PC**

APR 28 2006

|                                                                                                                                                                      |  |    |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|--|----|
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| 737-8806                                                                                                                                                             |  |    |
| WARREN B. DUCHANAN<br>ARCHITECT                                                                                                                                      |  |    |
| LAS VEGAS, NV.                                                                                                                                                       |  |    |
| SHEET TITLE SIX UNIT BUILDING<br>FIRST & SECOND FLOOR PLANS<br>PROJECT NEW CONDOMINIUMS<br>FOR NEVADA EQUITIES, LLC<br>100 SOUTH CRENSHAW DRIVE<br>LAS VEGAS, NEVADA |  |    |
| DATE 17 MAR 06                                                                                                                                                       |  |    |
| SCALE 1/8" = 1'-0"                                                                                                                                                   |  |    |
| DRAWN HBS                                                                                                                                                            |  |    |
| A-2<br>??                                                                                                                                                            |  |    |

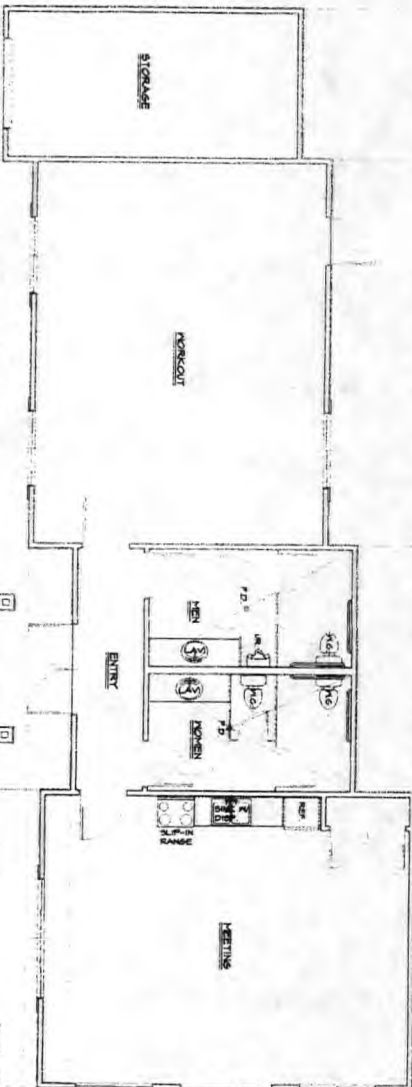


**VAR-13352**  
**05/25/06 PC**

FLOOR PLAN

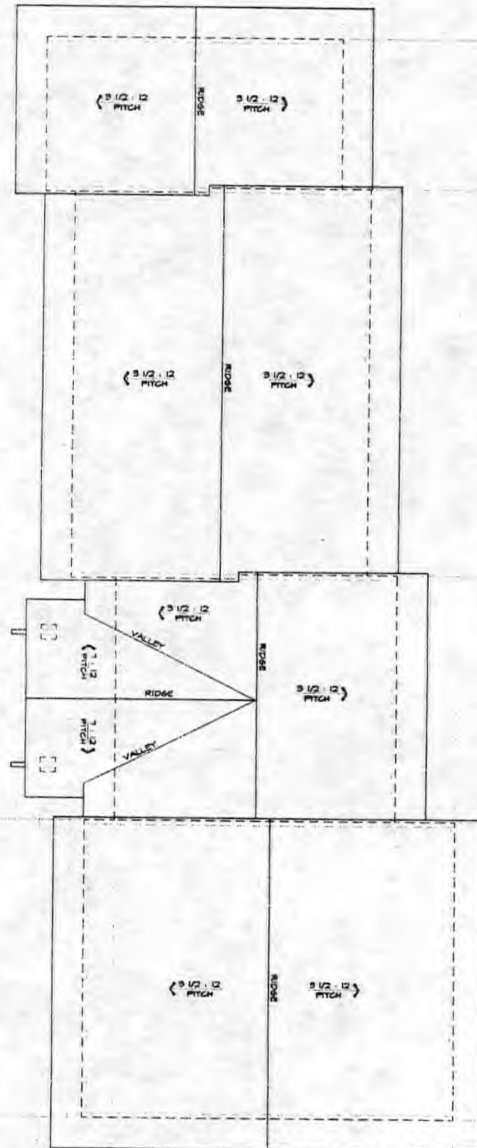
SCALE 1/8"=1'-0"

RECEIVED  
 APR 28 2006  
 NORTH



ROOF PLAN

SCALE 1/8"=1'-0"



|                     |                                         |                                                                                                                                                               |
|---------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| SHEET<br><b>A-6</b> | DATE 11 MAR 06<br>BY WBB<br>CHECKED PEB | SHEET TITLE<br>CLUBHOUSE<br>FLOOR and ROOF PLANS<br>PROJECT<br>NEW CONDOMINIUMS<br>for NEVADA EQUITIES, LLC<br>100 SOUTH GRESTLINE DRIVE<br>LAS VEGAS, NEVADA |
|---------------------|-----------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|

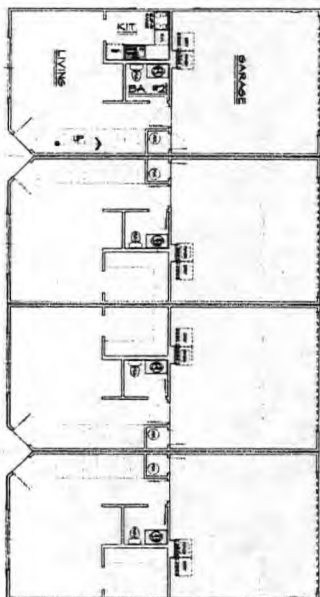
**WARREN B. BUCHANAN**  
**ARCHITECT**  
**LAS VEGAS, NV.**

737-0806

CONSULTANT

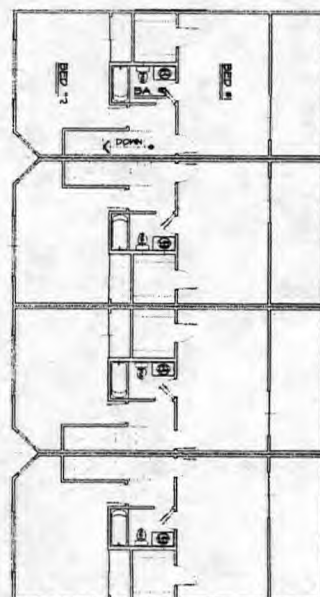
|                                    |
|------------------------------------|
| REVISIONS<br>NO. DESCRIPTION<br>1. |
|------------------------------------|

**VAR-13352**  
**05/25/06 PC**



**FIRST FLOOR PLAN**

**A-1**



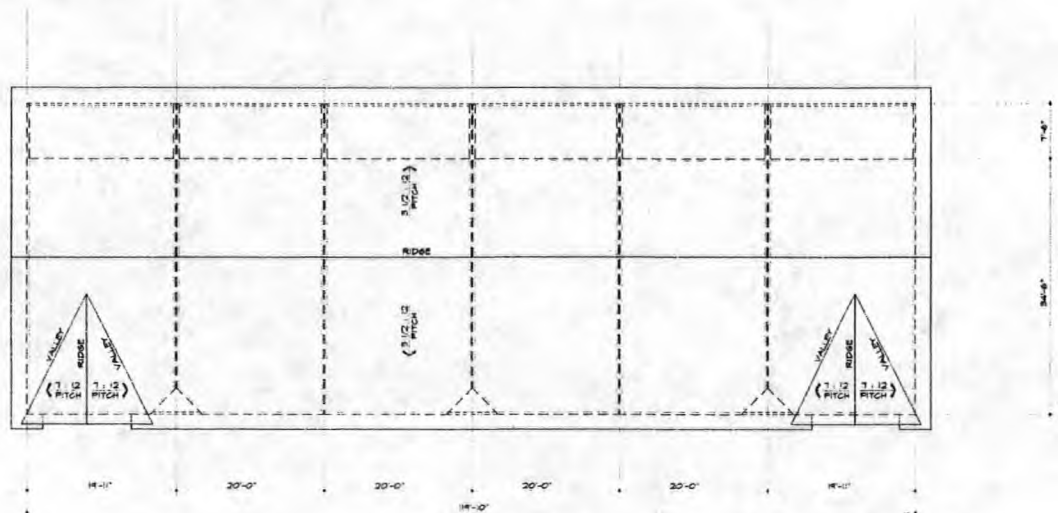
**SECOND FLOOR PLAN**

**B-1**



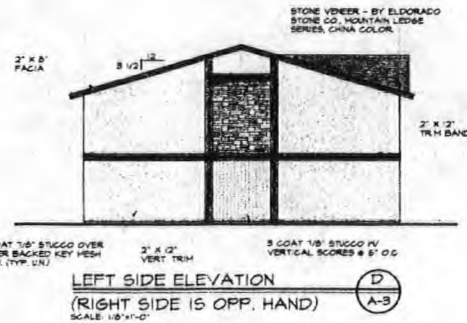
**RECEIVED**  
**APR 28 2006**  
**NORTH**

| <p><b>PROJECT</b></p> <p><b>A-4</b></p>                                                                                                                               | <p><b>PROJECT TITLE</b></p> <p>FOUR UNIT BUILDING<br/>             FIRST &amp; SECOND FLOOR PLANS</p> | <p><b>WARREN B. BUCHANAN</b><br/> <b>ARCHITECT</b><br/> <b>LAS VEGAS, NV.</b></p> | <p><b>CONSULTANT</b></p>                | <p><b>737-8806</b></p>                  | <p><b>REVISIONS</b></p> <table border="1"> <tr> <th>NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> <tr> <td> </td> <td> </td> <td> </td> </tr> </table> | NO. | DATE | DESCRIPTION |  |  |  |  |  |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------|-----------------------------------------|-----------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----|------|-------------|--|--|--|--|--|--|--|--|--|
| NO.                                                                                                                                                                   | DATE                                                                                                  |                                                                                   | DESCRIPTION                             |                                         |                                                                                                                                                                                                                                                    |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                       |                                                                                                       |                                                                                   |                                         |                                         |                                                                                                                                                                                                                                                    |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                       |                                                                                                       |                                                                                   |                                         |                                         |                                                                                                                                                                                                                                                    |     |      |             |  |  |  |  |  |  |  |  |  |
|                                                                                                                                                                       |                                                                                                       |                                                                                   |                                         |                                         |                                                                                                                                                                                                                                                    |     |      |             |  |  |  |  |  |  |  |  |  |
| <p><b>PROJECT</b></p> <p>NEW CONDOMINIUMS<br/>             for NEVADA EQUITIES, LLC<br/>             100 SOUTH CRESTLINE DRIVE<br/>             LAS VEGAS, NEVADA</p> | <p><b>DATE</b></p> <p>APR 28 2006</p>                                                                 | <p><b>SCALE</b></p> <p>1/8" = 1'-0"</p>                                           | <p><b>SCALE</b></p> <p>1/8" = 1'-0"</p> | <p><b>SCALE</b></p> <p>1/8" = 1'-0"</p> | <p><b>SCALE</b></p> <p>1/8" = 1'-0"</p>                                                                                                                                                                                                            |     |      |             |  |  |  |  |  |  |  |  |  |

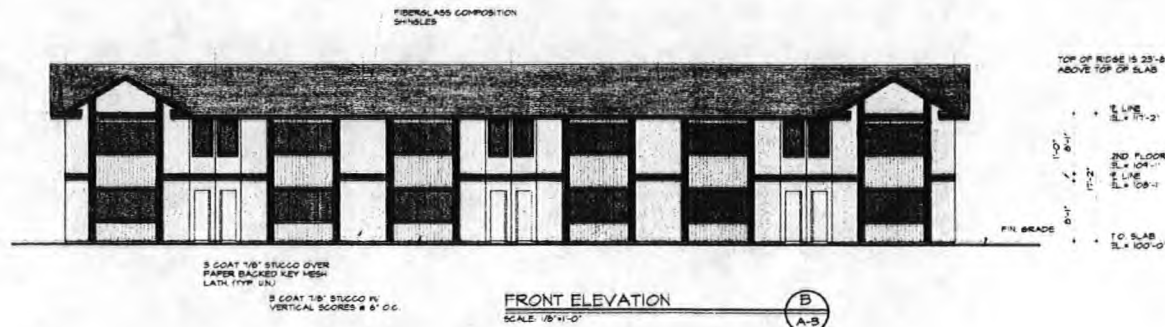


ROOF PLAN  
SCALE 1/8"=1'-0"

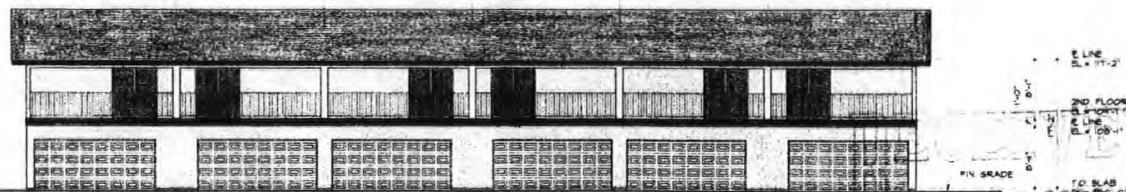
A  
A-B



D  
A-B



B  
A-B



C  
A-B

VAR-13352  
05/25/06 PC

| REVISIONS | BY |
|-----------|----|
|           |    |
|           |    |
|           |    |
|           |    |

CONSULTANT

737-8866

WARREN B. DUCHANAN  
ARCHITECT  
LAS VEGAS, NV.

WB

SIX UNIT BUILDING  
ROOF PLAN / EXTERIOR ELEV'S  
PROJECT  
NEW CONDOMINIUMS  
FOR NEVADA EQUITIES, LLC  
100 SOUTH CRESTLINE DRIVE  
LAS VEGAS, NEVADA

DATE 17 MAR 06  
SCALE 1/8" = 1'-0"  
DRAWN WBB  
A-3  
101 APR 28 2006



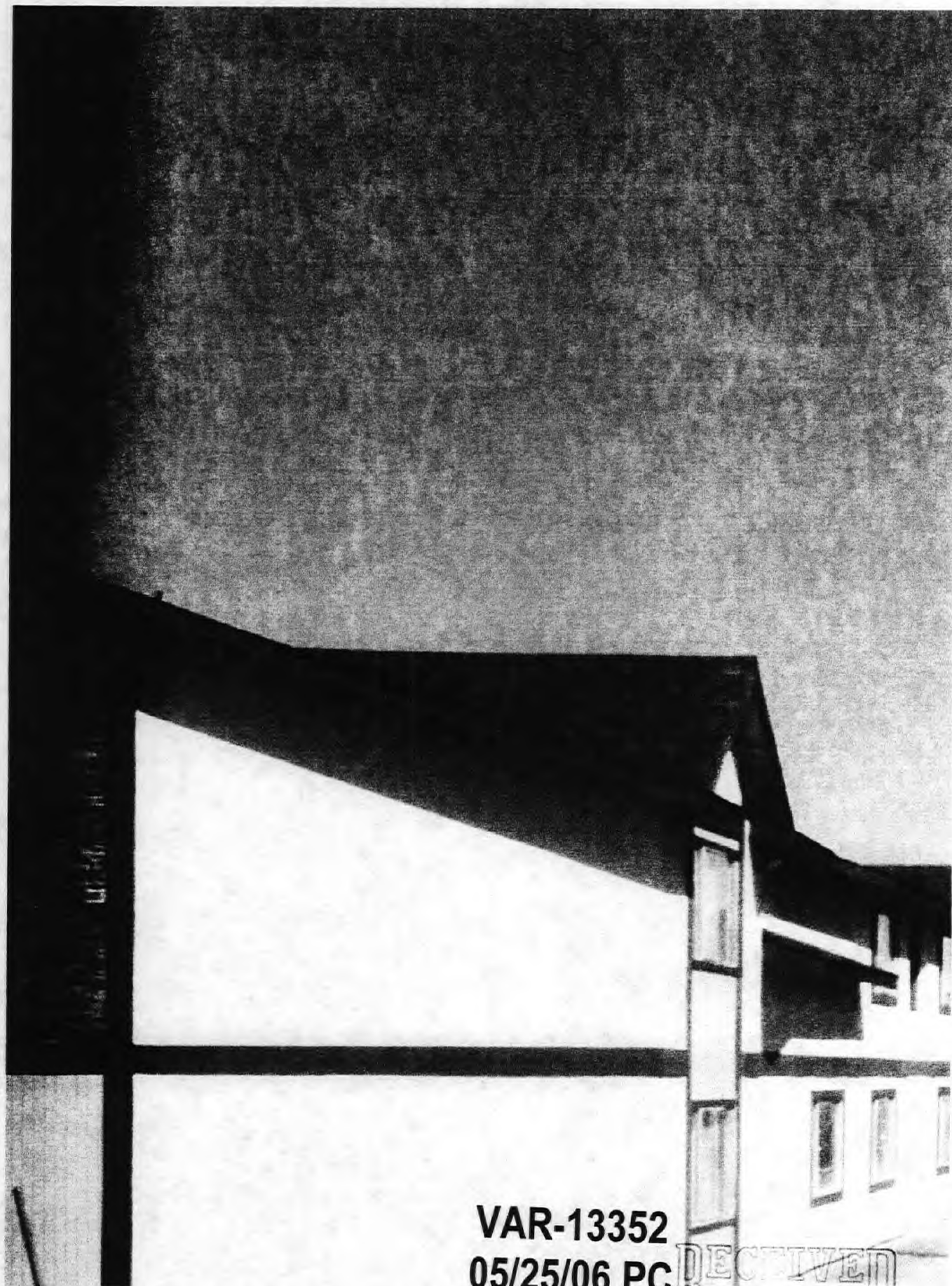




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VAR-10002  
05/25/06 PC

APR 26 2006 11:11  
4/28/2006



**VAR-13352**  
**05/25/06 PC**

**RECEIVED**

APR 28 2006 4/28/2006





**VAR-13352**  
**05/25/06 PC**

**RECEIVED**  
APR 28 2006

**Baughman & Turner, Inc.**

Consulting Engineers & Land Surveyors

1210 HINSON ST.  
LAS VEGAS, NEVADA 89102-1604

PHONE (702) 870-8771  
FAX (702) 878-2695

April 28, 2006

**City of Las Vegas, Planning & Development**

731 S. Fourth Street  
Las Vegas, NV 89101

**RE: Emerald Crest Condominiums**

To Whom It May Concern,

Please let this letter serve as a justification for a Variance in conjunction with and for a proposed addition to the above referenced condominium complex. The 4.36 acre site lying at the Northeast corner of Garwood Ave & Torrey Pines Drive represents APN's 138-35-517-001 - 070. Additionally the site is bordered by I-95 to the North, an existing apartment complex to the East, and a R-1 subdivision to the South.

The proposed project will have 70 - 2 bedroom units (36 existing and 34 proposed) representing a 16 dwelling unit per acre density. The ongoing I-95 expansion, condemned a portion of the site, eliminating 6 buildings, representing 36 units. The applicant is looking to gain back some of these units while at the same time upgrading the existing units.

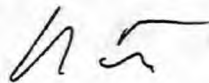
The variances being requested are:

- 1) Reduction in the 71.50 foot residential adjacency setback where an existing building already has a 52.00 foot setback. The building in question is being proposed at the same existing 52.00 foot setback and will not create any new high obstructions do not already exist.

We feel this project will enhance the area, and the approval of these variances will not have a negative affect on the environment, or general welfare of the public or surrounding area.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,  
**Baughman & Turner, Inc.**



David S. Turner  
President  
DST/nl

RECEIVED  
APR 28 2006

**VAR-13352**  
**05/25/06 PC**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006**

---

**DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT**    ☒ **DISCUSSION****SUBJECT:**

VACATION RELATED TO ZON-12932, VAR-12933, AND VAR-13352

VAC-12934 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA EQUITIES, LLC - Petition to Vacate Crestline Drive north of Garwood Avenue, Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:****TARKANIAN - APPROVED subject to conditions - UNANIMOUS****MINUTES:**

NOTE: See Item 139 [ZON-12932] for all related discussion.

(2:15 - 2:25)

3-1628

**CONDITIONS:**

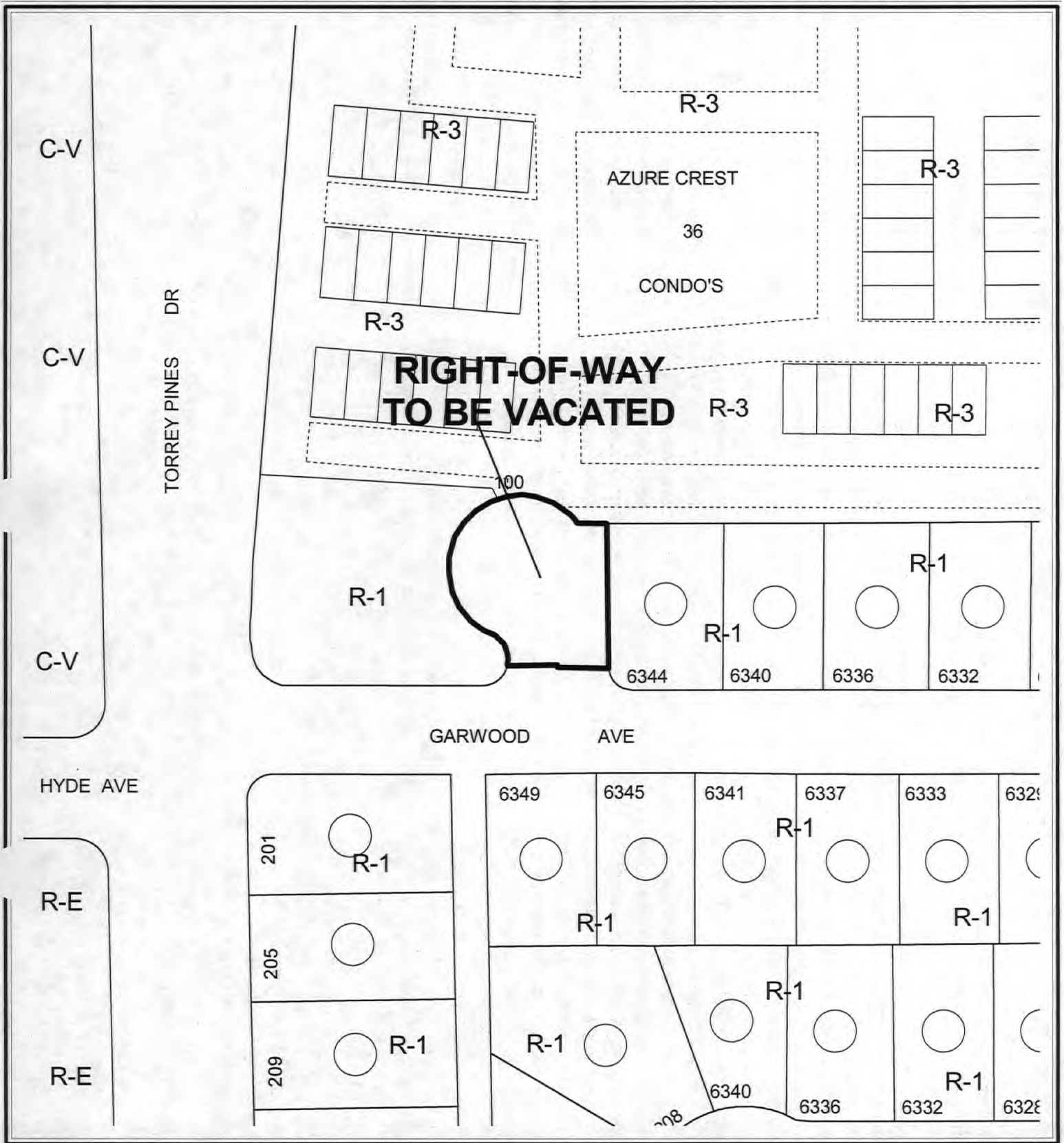
1. The limits of this Vacation shall be all portions of Crestline Drive (including the full cul de sac and spandrels) located north of Garwood Avenue.
2. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant, so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-12932 may be used to satisfy this requirement provided that it addresses the area to be vacated.



CITY COUNCIL MEETING OF: JUNE 21, 2006

**CONDITIONS - continued:**

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



CASE: VAC-12934

**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: VAC-12934 - APPLICANT/OWNER: NEVADA EQUITIES, LLC**

---

**\*\* CONDITIONS \*\***

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

1. The limits of this Vacation shall be all portions of Crestline Drive (including the full cul-de-sac and spandrels) located north of Garwood Avenue.
2. Provide a plan showing how the right-of-way proposed to be vacated will be incorporated into the abutting properties, including the property not controlled by the applicant, so that an un-maintained "no-man's land" area is not produced by this action. The required plan shall identify exactly who is responsible to reclaim each portion of right-of-way and exactly how the right-of-way will be reclaimed, and shall provide a schedule of when such reclamation will occur. Such plan shall be approved by the City Engineer prior to the recordation of the Order of Vacation or the submittal of any construction drawings adjacent to or overlying the area requested for vacation, whichever may occur first.
3. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by ZON-12932 may be used to satisfy this requirement provided that it addresses the area to be vacated.
4. All public improvements, if any, adjacent to and in conflict with this vacation application are to be modified, as necessary, at the applicant's expense prior to the recordation of an Order of Vacation.
5. Reservation of easements for the facilities of the various utility companies together with reasonable ingress thereto and egress there from shall be provided if required.
6. All development shall be in conformance with code requirements and design standards of all City Departments.



7. The Order of Vacation shall not be recorded until all of the conditions of approval have been met provided, however, that conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way or easement being vacated must be retained.
8. If the Order of Vacation is not recorded within one (1) year after approval by the City of Las Vegas or an Extension of Time is not granted by the Planning Director, then approval will terminate and a new petition must be submitted.

**\*\* STAFF REPORT \*\***

**APPLICATION REQUEST**

The request is a Petition to Vacate Crestline Drive north of Garwood Avenue. A related Rezoning (ZON-12932), two Variances (VAR-12933 and VAR-13352), and Site Development Plan Review (SDR-12930) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

The request is to vacate Crestline Drive and replace it with a gated entryway to an existing condominium development. This entryway will provide access to the site from Garwood Avenue. While the Department of Public Works has no objection to the Vacation request, the Planning and Development Department is recommending denial for the related Variance (VAR-12933 and VAR-13352) and Site Development Plan Review (SDR-12930) applications, and therefore this application is recommended for denial as well.

**BACKGROUND INFORMATION**

***A) Related Actions***

- |          |                                                                                                                                                                                                                                                                                            |
|----------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 05/10/99 | The City Council denied a request for Rezoning (Z-0015-99) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a portion of the site. The Planning Commission and staff recommended approval on 3/25/99.                                                           |
| 05/05/04 | The City Council approved a Rezoning (ZON-3708) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue. The Planning Commission and staff recommended approval on April 8, 2004. |
| 06/10/04 | The Planning and Development Department approved a Site Development Plan Review (SDR-4318) for a 36-unit multi-family development.                                                                                                                                                         |
| 05/25/06 | The Planning Commission recommended approval of companion items ZON-12932, VAR-12933, VAR-13352 AND SDR-12930 concurrently with this application.                                                                                                                                          |
| 05/25/06 | The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #44/fs).                                                                                                                                                                                                           |

***B) Pre-Application Meeting***

03/15/06 Issues discussed included the need for setback Variances, as well as general Rezoning, Variance, and Site Development Plan Review application requirements.

***C) Neighborhood Meetings***

05/09/06 A neighborhood meeting sponsored by the applicant was held at the Emerald Crest Clubhouse at 100 S. Crestline Drive. City staff was not present at this meeting; however, the applicant stated that the four persons in attendance had the following concerns:

- Wanted to see the three-foot block wall along Torrey Pines and Garwood raised.
- Concerns about increased traffic.
- Pleased with the clean-up of the area.

Overall, the applicant stated that the residents indicated that the project was acceptable.

**DETAILS OF APPLICATION REQUEST**

The request is to Vacate the all of Crestline Drive north of Garwood Avenue. The property is legally described as all of Crestline Drive, sixty feet (60') wide, north of Garwood Avenue, excepting the spandrel areas, but including all of the turnaround area; said property being a portion of the Northwest quarter (NW<sup>1</sup>/<sub>4</sub>) of the Northwest quarter (NW<sup>1</sup>/<sub>4</sub>) of the Northeast quarter (NE<sup>1</sup>/<sub>4</sub>) of Section 35, Township 20 South, Range 60 East, M.D.M.

**ANALYSIS**

***A) Planning discussion***

The request is to vacate Crestline Drive and replace it with a gated entryway to an existing condominium development. This entryway will provide access to the site from Garwood Avenue. While the Department of Public Works has no objection to the Vacation request, the Planning and Development Department is recommending denial for the related Variance (VAR-12933 and VAR-13352) and Site Development Plan Review (SDR-12930) applications, and therefore this application is recommended for denial as well.



***B) Public Works discussion***

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

- A. Does this vacation request result in uniform or non-uniform right-of-way widths? N/A as it is to vacate an entire cul-de-sac to be used as a private entry for an expansion to an existing condominium complex.
- B. From a traffic handling viewpoint will this vacation request result in a reduced traffic handling capability? No, as the road to be vacated currently terminates as a cul-de-sac.
- C. Does it appear that the vacation request involves only excess right-of-way? No, it is to vacate a portion of right-of-way in conflict with a proposed condominium complex expansion.
- D. Does this vacation request coincide with development plans of the adjacent parcels? Yes, ZON-12932 and SDR-12930.
- E. Does this vacation request eliminate public street access to any abutting parcel? No.
- F. Does this vacation request result in a conflict with any existing City requirements? No.
- G. Does the Department of Public Works have an objection to this vacation request? No.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

6

**ASSEMBLY DISTRICT**      3

**SENATE DISTRICT**      3

**NOTICES MAILED**      4 by City Clerk

**APPROVALS**      0

**PROTESTS**      0



# PLANNING & DEVELOPMENT DEPARTMENT

## STATEMENT OF FINANCIAL INTEREST

Case Number: **VAC-12934** APN: 138-35-517-001 Thru 070

Name of Property Owner: Nevada Equities, LLC

Name of Applicant: Nevada Equities, 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

☒ 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: \_\_\_\_\_

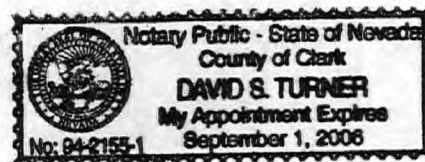
Signature of Property Owner: \_\_\_\_\_

Print Name: RONY SUTTER, MANAGER

Subscribed and sworn before me

This 10<sup>th</sup> day of April, 2006

David S. Turner  
Notary Public in and for said County and State



APR 11 2006

VAC-12934

05/25/06 PC

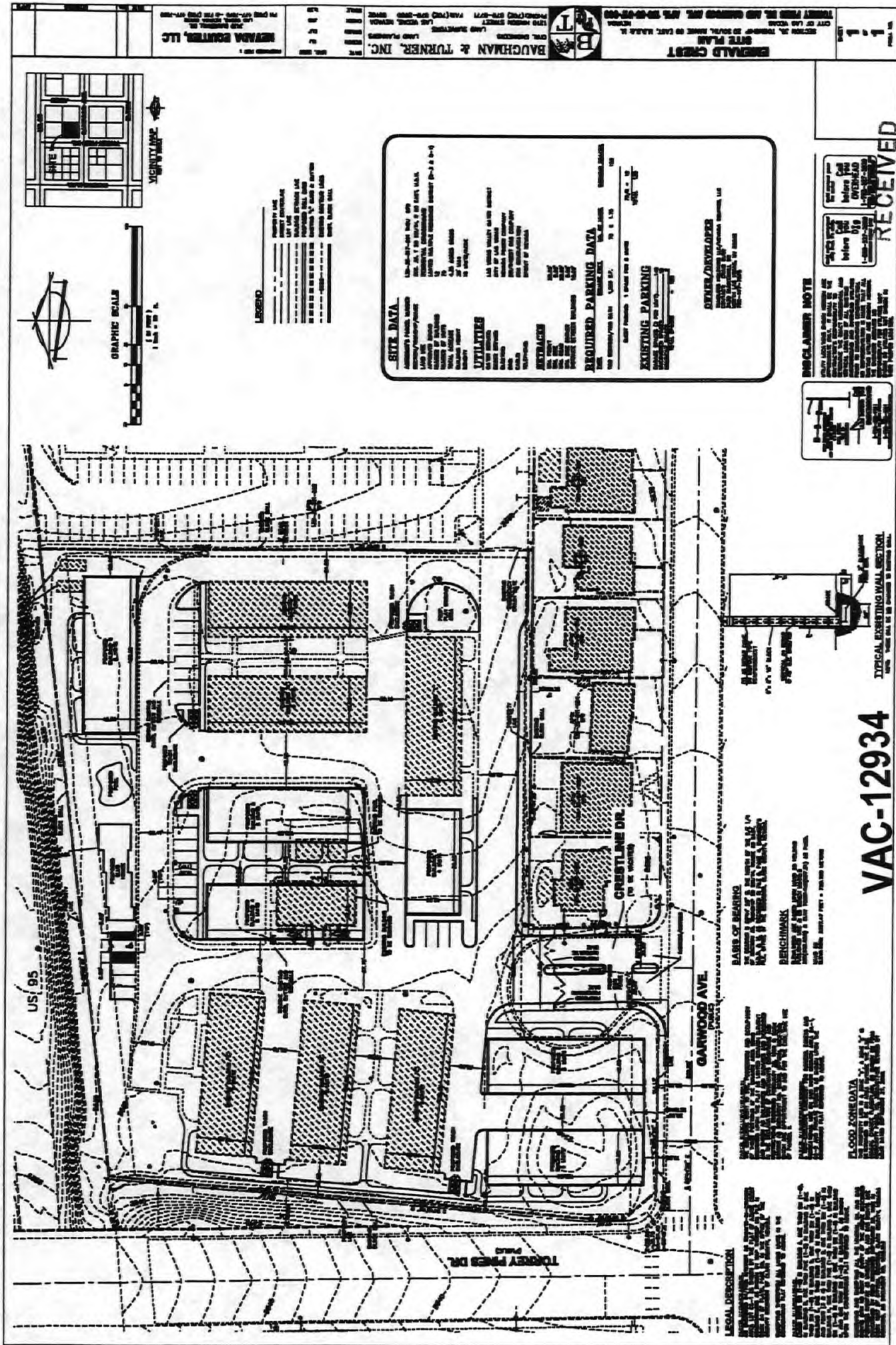
RECEIVED

EXPLANER NOTE  
THIS PLAN WAS PREPARED BY THE ENGINEER FOR THE CITY OF CHICAGO. IT IS THE ENGINEER'S RESPONSIBILITY TO VERIFY THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT. THE ENGINEER DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED BY THE CLIENT. THE ENGINEER'S RESPONSIBILITY IS LIMITED TO THE DESIGN OF THE PROJECT.

TYPICAL EXISTING WALL SECTION  
1'-0" SCALE

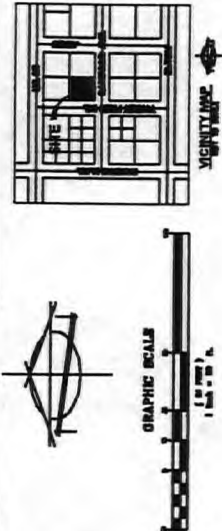
BASE OF BEARING  
BENCHMARK  
FLOOD ZONE DATA  
LEGAL DESCRIPTION

LEGAL DESCRIPTION  
SECTION 12, TOWNSHIP 36 NORTH, RANGE 9 EAST, STATE OF ILLINOIS  
SECTION 12, TOWNSHIP 36 NORTH, RANGE 9 EAST, STATE OF ILLINOIS  
SECTION 12, TOWNSHIP 36 NORTH, RANGE 9 EAST, STATE OF ILLINOIS  
SECTION 12, TOWNSHIP 36 NORTH, RANGE 9 EAST, STATE OF ILLINOIS



| SITE DATA             |                         |
|-----------------------|-------------------------|
| PROPERTY NAME         | EMERALD CREST           |
| OWNER                 | BAUGHMAN & TURNER, INC. |
| DESIGNER              | BAUGHMAN & TURNER, INC. |
| DATE                  | 05/25/06                |
| REQUIRED PARKING DATA |                         |
| TYPE                  | RESIDENTIAL             |
| PER 100 SQ. FT.       | 1.0                     |
| PER 100 SQ. YD.       | 1.0                     |
| EXISTING PARKING      |                         |
| TYPE                  | RESIDENTIAL             |
| PER 100 SQ. FT.       | 1.0                     |
| PER 100 SQ. YD.       | 1.0                     |

| LEGEND           |     |
|------------------|-----|
| PROPERTY LINE    | --- |
| EXISTING WALL    | --- |
| EXISTING PARKING | --- |
| EXISTING DRIVE   | --- |
| EXISTING LOT     | --- |
| EXISTING DRIVE   | --- |
| EXISTING LOT     | --- |



EMERALD CREST  
SITE PLAN  
SECTION 12, TOWNSHIP 36 NORTH, RANGE 9 EAST, STATE OF ILLINOIS  
BAUGHMAN & TURNER, INC.  
1200 WILSON STREET  
CHICAGO, ILLINOIS 60606  
PHONE (773) 372-3777  
FAX (773) 372-3778  
WWW.BAUGHMAN-AND-TURNER.COM  
REVISED 05/25/06  
BY: [Signature]  
CHECKED: [Signature]  
DATE: 05/25/06



***Baughman & Turner, Inc.***

*Consulting Engineers & Land Surveyors*

1210 HINSON ST.

PHONE (702) 870-8771

LAS VEGAS, NEVADA 89102-1604

FAX (702) 878-2695

April 11, 2006

**City of Las Vegas  
Planning & Development**

731 S. Fourth Street  
Las Vegas, NV 89101

**RE: Emerald Crest Condominiums**

To Whom It May Concern,

Please let this letter serve as a justification for a Vacation and Abandonment of Right-of-Way in conjunction with a proposed addition to the above referenced condominium complex. The 4.36 acre site lying at the Northeast corner of Garwood Ave & Torrey Pines Drive represents APN's 138-35-517-001 - 070. Additionally the site is bordered by I-95 to the North, an existing apartment complex to the East, and a R-1 subdivision to the South.

The proposed project will have 70 - 2 bedroom units (36 existing and 34 proposed) representing a 16 dwelling unit per acre density. The ongoing I-95 expansion, condemned a portion of the site, eliminating 6 buildings, representing 36 units. The applicant is looking to gain back some of these units while at the same time upgrading the existing units.

Crestlin Drive is being requested to be vacated along with this project. A gated entrance off Garwood Ave. will serve as access to the site.

We feel this project will enhance the area, and the approval of this project will not have a negative affect on the environment, or general welfare of the public or surrounding area.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,  
**Baughman & Turner, Inc.**



David S. Turner  
President  
DST/nl

**VAC-12934  
05/25/06 PC**

**AGENDA SUMMARY PAGE**  
**CITY COUNCIL MEETING OF: JUNE 21, 2006****DEPARTMENT: PLANNING & DEVELOPMENT****DIRECTOR: M. MARGO WHEELER**☐ **CONSENT** ☒ **DISCUSSION****SUBJECT:**

SITE DEVELOPMENT PLAN REVIEW RELATED TO ZON-12932, VAR-12933, VAR-13352 AND VAC-12934

SDR-12930 - PUBLIC HEARING - APPLICANT/OWNER: NEVADA EQUITIES, LLC - Request for a Site Development Plan Review FOR A PROPOSED 34-UNIT ADDITION TO AN EXISTING CONDOMINIUM DEVELOPMENT AND A WAIVER FOR A REDUCTION OF PERIMETER LANDSCAPING on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue (APN 138-35-517-001), R-3 (Medium Density Residential) Zone and R-1 (Single Family Residential) Zone [PROPOSED: R-3 (Medium Density Residential) Zone], Ward 1 (Tarkanian). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL

**PROTESTS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**APPROVALS RECEIVED BEFORE:**

|                          |                                |
|--------------------------|--------------------------------|
| Planning Commission Mtg. | <input type="text" value="0"/> |
| City Council Meeting     | <input type="text" value="0"/> |

**RECOMMENDATION:**

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

**BACKUP DOCUMENTATION:**

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

**MOTIONS:**

**TARKANIAN - APPROVED** subject to conditions, deleting Condition 4 and amending Condition 3 as follows:

**3. The development shall be in conformance with the site plan dated 6/20/2006, landscape and building elevations date-stamped 4/11/2006 except as amended by conditions herein for a maximum of 32 units.**

**- UNANIMOUS**

**MINUTES:**

NOTE: See Item 139 [ZON-12932] for all related discussion.

(2:15 - 2:25)

3-1628

**CONDITIONS:**

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), Vacation (VAC-12934), and Variances (VAR-12933 and VAR-13352) shall be required.

2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.

**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**CONDITIONS - continued:**

3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/11/06 except as amended by conditions herein.
4. The applicant shall eliminate one unit each from the south ends of Buildings 1 and 2 for a maximum total of 32 units.
5. A Waiver from Title 19.12 is hereby approved, to allow a reduction of perimeter buffer widths along the south and east property lines, and to allow 51 perimeter trees where 61 are required.
6. An Exception from Title 19.12 is hereby approved, to allow zero parking lot trees where four are required.
7. The minimum distance between buildings shall be 10 feet.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.
9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, 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.



**CITY COUNCIL MEETING OF: JUNE 21, 2006**

**CONDITIONS - continued:**

15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

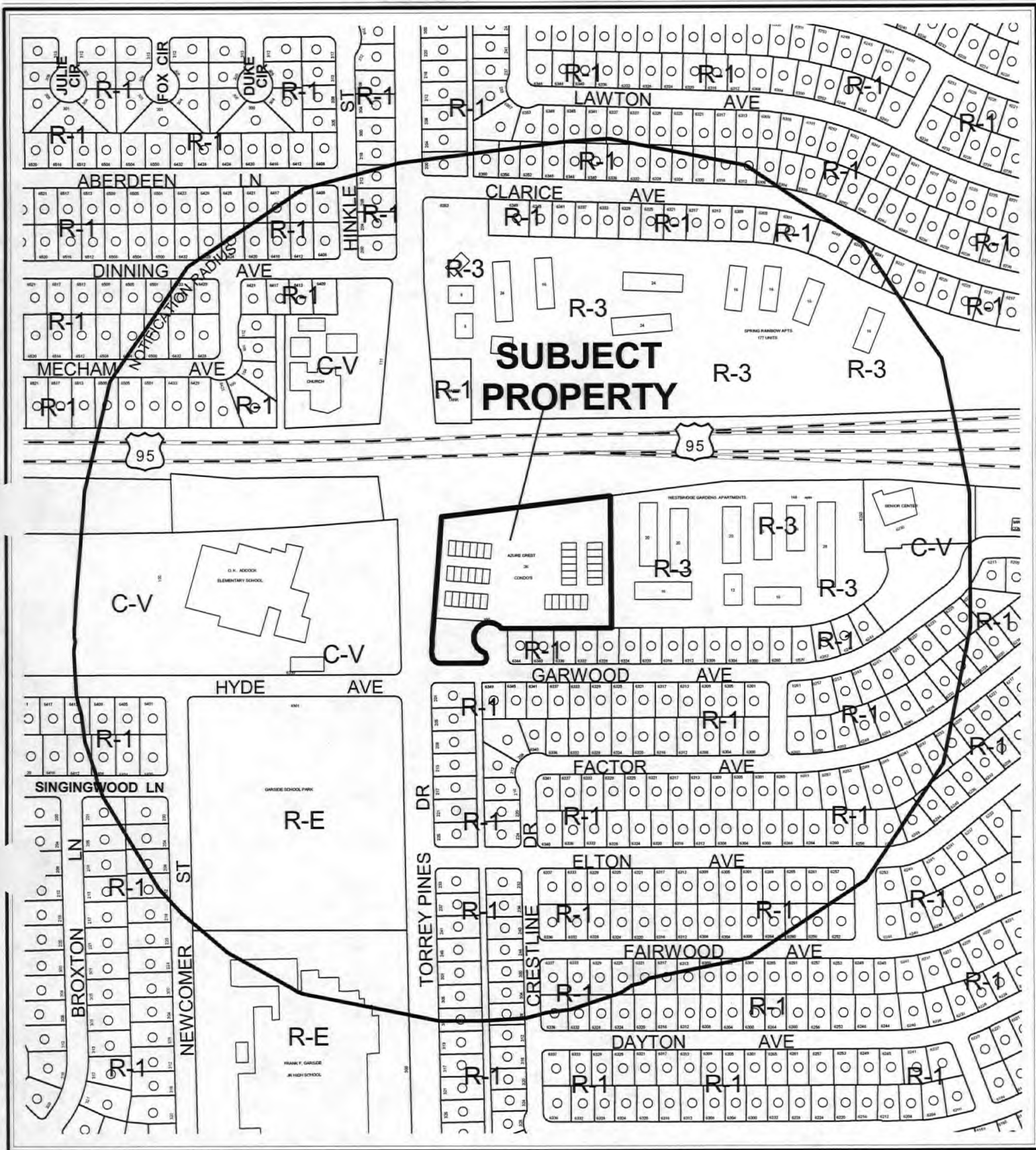
16. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.

17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.

18. A Homeowners' Association shall be established to maintain all 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. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-12932 and all other applicable site-related actions.

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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-12930**

**RADIUS: 1000 FT**

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

**PROPOSED ZONING OF SUBJECT PROPERTY: R-3 (MEDIUM DENSITY RESIDENTIAL)**

143



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JUNE 21, 2006**

**DEPARTMENT: PLANNING AND DEVELOPMENT**

**ITEM DESCRIPTION: SDR-12930 - APPLICANT/OWNER: NEVADA EQUITIES, LLC**

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**\*\* CONDITIONS \*\***

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

**Planning and Development**

1. Approval of and conformance to the Conditions of Approval for Rezoning (ZON-12932), Vacation (VAC-12934), and Variances (VAR-12933 and VAR-13352) shall be required.
2. This approval shall be void two years from the date of final approval, unless a building permit has been issued for the principal building on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 04/11/06 except as amended by conditions herein.
4. The applicant shall eliminate one unit each from the south ends of Buildings 1 and 2 for a maximum total of 32 units.
5. A Waiver from Title 19.12 is hereby approved, to allow a reduction of perimeter buffer widths along the south and east property lines, and to allow 51 perimeter trees where 61 are required.
6. An Exception from Title 19.12 is hereby approved, to allow zero parking lot trees where four are required.
7. The minimum distance between buildings shall be 10 feet.
8. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications.



9. Pre-planting and post-planting landscape inspections are required to ensure the appropriate plant material, location, size of planters, and landscape plans are being utilized. The Planning and Development Department must be contacted to schedule an inspection prior to the start of the landscape installation and after the landscape installation is completed. A certificate of occupancy will not be issued or the final inspection will not be approved until the landscape inspections have been completed.
10. Reflective glazing at the pedestrian level is prohibited. Glazing above the pedestrian level shall be limited to a maximum reflectance rating of 22% (as defined by the National Institute of Standards and Technology).
11. All utility boxes exceeding 27 cubic feet in size shall meet the standards of LVMC Title 19.12.040.
12. Parking lot lighting standards shall be no more than 30 feet in height and shall utilize downward-directed lights with full cut-off luminaires. Lighting on the exterior of buildings shall be shielded and shall be downward-directed. Non-residential property lighting shall be directed away from residential property or screened, and shall not create fugitive lighting on adjacent properties.
13. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
14. Prior to the submittal of a building permit application, 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.
15. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

16. Gated entry drives, if proposed, shall be designed, located and constructed in accordance with Standard Drawing #222A.
17. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed use of this facility.
18. A Homeowners' Association shall be established to maintain all 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. Site development to comply with all applicable conditions of approval for Zoning Reclassification ZON-12932 and all other applicable site-related actions.

20. The approval of all Public Works related improvements shown on this Site Development Plan Review is in concept only. Specific design and construction details relating to size, type and/or alignment of 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**

The request is for a Site Development Plan Review for a proposed 34-unit addition to an existing condominium development and a waiver for a reduction of perimeter landscaping on 4.14 acres at the northeast corner of Torrey Pines Drive and Garwood Avenue. A related Rezoning (ZON-12932), two Variances (VAR-12933 and VAR-13352), and Vacation (VAC-12934) will be considered concurrently with this request.

**EXECUTIVE SUMMARY**

Originally, the development consisted of 72 units until a portion of the site was condemned by the state to accommodate the US 95 widening project. Six buildings consisting of 36 units were lost to the expansion. The development currently has 36 units within six buildings.

The current site plan proposes 34 additional two-bedroom units within six new buildings, a playground, and a community clubhouse. As proposed, the complex will consist of 70 units (36 existing and 34 proposed) at build-out and have an overall density of 16.90 units per acre.

Buildings 1 and 2 are setback 10 feet from the front property line where 20 feet is required. Building 6 is setback 17.59 from the rear property line where 20 is required, and a Variance (VAR-12933) has been requested to provide relief from these requirements. Building 3 is also subject to Residential Adjacency Standards and is setback 52 feet where 63 feet is required. A Variance (VAR-13352) has been requested to provide relief from this requirement.

The landscape plan depicts a deficiency of perimeter landscaping along the south and east property lines. This waiver is not recommended as the area along Garwood Avenue is in public view and should be adequately landscaped, and the area along the single family residential should offer buffering and screening from the condominium development.

The number of waivers and variances requested indicates that the site is being overbuilt, and the application is therefore not recommended.

**BACKGROUND INFORMATION**

***A) Related Actions***

05/10/99      The City Council denied a request for Rezoning (Z-0015-99) from R-1 (Single Family Residential) to R-3 (Medium Density Residential) on a portion of the site. The Planning Commission and staff recommended approval on 3/25/99.



- 05/10/99 The City Council denied a request for a Special Use (U-0025-99) for a Child Care Center on a portion of the site. The Planning Commission and staff recommended approval on 03/25/99.
- 05/05/04 The City Council approved a Rezoning (ZON-3708) from R-1 (Single-Family Residential) to R-3 (Medium Density Residential) on 0.29 acres adjacent to the northeast corner of Torrey Pines Drive and Garwood Avenue. The Planning Commission and staff recommended approval on April 8, 2004.
- 06/10/04 The Planning and Development Department approved a Site Development Plan Review (SDR-4318) for a 36-unit multi-family development.
- 05/25/06 The Planning Commission recommended approval of companion items ZON-12932, VAR-12933, VAR-13352 and VAC-12934 concurrently with this application.
- 05/25/06 The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #45/fs).

***B) Pre-Application Meeting***

- 03/15/06 Issues discussed included the need for setback Variances, as well as general Rezoning, Variance, and Site Development Plan Review application requirements.

***C) Neighborhood Meetings***

- 05/09/06 A neighborhood meeting sponsored by the applicant was held at the Emerald Crest Clubhouse at 100 S. Crestline Drive. City staff was not present at this meeting; however, the applicant stated that the four persons in attendance had the following concerns:

- Wanted to see the three-foot block wall along Torrey Pines and Garwood raised.
- Concerns about increased traffic.
- Pleased with the clean-up of the area.

Overall, the applicant stated that the residents indicated that the project was acceptable.

## DETAILS OF APPLICATION REQUEST

### A) *Site Area*

Gross Acres: 4.14

### B) *Existing Land Use*

Subject Property: Undeveloped  
North: Right-of-Way (US 95)  
South: Single-family Residential  
East: Single-family Residential  
Multi-family Residential  
West: Elementary School

### C) *Planned Land Use*

Subject Property: M (Medium Density Residential)  
North: Right-of-Way (US 95)  
South: L (Low Density Residential)  
East: L (Low Density Residential)  
M (Medium Density Residential)  
West: PF (Public Facilities)

### D) *Existing Zoning*

Subject Property: R-1 (Single Family Residential)  
North: Right-of-Way (US 95)  
South: R-1 (Single Family Residential)  
East: R-1 (Single Family Residential)  
R-3 (Medium Density Residential)  
West: C-V (Civic District)

### E) *General Plan Compliance*

The subject site is located within the Southwest Sector of the General Plan with a M (Medium Density Residential) land use designation, which allows for residential development of up to 25.49 dwelling units per acre. The proposed rezoning to the R-3 (Medium Density Residential) zoning district is consistent with the General Plan designation. The proposed condominium addition is a permitted use within the R-3 (Medium Density Residential) zoning district.

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

The subject site is not located within any special district or zone.

## ANALYSIS

### A) *Zoning Code Compliance*

#### A1) Development Standards

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

| Standards            | Required            | Provided              | Compliance |
|----------------------|---------------------|-----------------------|------------|
| Min. Lot Size        | 6,500 Feet          | 180,338 Feet          | Y          |
| Min. Setbacks        |                     |                       |            |
| • Front              | 20 Feet             | 10 Feet               | N          |
| • Side               | 5 Feet              | 20 Feet               | Y          |
| • Corner             | 5 Feet              | 20 Feet               | Y          |
| • Rear               | 20 Feet             | 17.59 Feet            | N          |
| Max. Building Height | 2 Stories / 35 Feet | 2 Stories / 23.8 Feet | Y          |

The subject site does not meet front or rear minimum setbacks, and is the subject of the related Variance (VAR-12933) request.

#### A2) Residential Adjacency Standards

Pursuant to Title 19.08, the following Residential Adjacency Standards apply to Building 3 of the subject proposal:

- a) Proximity slope. The site is adjacent to existing single-family residential along a portion of the south property line and is affected by proximity slope requirements. Building 3 is 21 feet in height (mid-point of roof) and would need to be set back 63 feet from the property line to meet the 3:1 proximity slope. This development is setback 52 feet from the protected property line and is not in compliance with Residential Adjacency 3:1 proximity slope standards. A related Variance (VAR-13352) has been requested to provide relief from this requirement.
- b) Building setback. The minimum rear setback for the adjacent R-1 (Single Family Residential) zoning district is 15 feet. Building 3 is setback 52 feet from the protected property and is in compliance with Title 19 Residential Adjacency building setback standards.

#### 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 |
| Two Bedroom Units | 70    | 1.75 per each unit + 1 guest space for every 6 units | 133     | 1        | 158      | 1        |
| Total             |       |                                                      | 135     |          | 160      |          |

The proposal exceeds Title 19 parking requirements.

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 (uncovered spaces)                      | 1 Tree / 6 Space | 4 Trees  | 0 Trees  |
| Buffer:                                              |                  |          |          |
| • Min. Trees (Street)                                | 1 per 20 feet    | 6 Trees  | 2 Trees  |
| • Min. Trees (Adjacent to single family residential) | 1 per 20 feet    | 15 Trees | 10 Trees |
| • Min Trees (Perimeter)                              | 1 per 30 feet    | 41 Trees | 39 Trees |
| • Min. Zone Width (Street)                           | 15 Feet          |          | 10 Feet  |
| • Min. Zone Width (Perimeter)                        | 8 Feet           |          | 0 Feet   |

The proposal does not meet perimeter and parking lot landscaping requirements, and a waiver has been requested to provide relief from these requirements.

**B) General Analysis and Discussion**

• Zoning

The proposed R-3 (Medium Density Residential) zoning district is to provide for the development of a variety of multi-family units such as duplexes, townhouses and medium density apartments. The R-3 District is consistent with the policies of the Medium Density Residential category of the General Plan. The proposed condominium units are a permitted use within the R-3 (Medium Density Residential) zoning district.

- Site Plan

The request is for a Site Development Plan Review for a proposed 34-unit addition to an existing condominium development at the northeast corner of Torrey Pines Drive and Garwood Avenue. Originally, the development consisted of 72 units until a portion of the site was condemned by the state to accommodate the US 95 widening project. Six buildings consisting of 36 units were lost to the expansion. The development currently has 36 units within six buildings.

The current site plan proposes 34 additional two-bedroom units within six new buildings, a playground, and a community clubhouse. Each unit is approximately 1,200 square feet and has an attached two car garage. All buildings will consist of six units, except for Building 3, which will have 4 units. As proposed, the complex will consist of 70 units (36 existing and 34 proposed) at build-out and have an overall density of 16.90 units per acre. A new swimming pool is proposed in conjunction with the new clubhouse. 160 parking spaces are provided on the site where 135 are required. 19 uncovered parking spaces are provided for guests, while 140 spaces are provided within garages. Title 19.10 states that the number of required handicapped parking spaces for multi-family developments are determined by the number of units designed to be occupied by the handicapped. In this instance, the site plan depicts one handicapped space.

A related Vacation (VAC-12934) has been requested to vacate Crestline Drive and replace it with a gated entryway to the development. This entryway will provide the primary access point from Garwood Avenue. An existing emergency crash gate is located at the southeast corner of the site.

A related Rezoning (ZON-12932) proposes to change the classification of a 0.29 portion of the site from R-1 (Single Family Residential) to R-3 (Medium Density Residential) in order to accommodate two new buildings. This portion of the site fronts both Garwood Avenue and Crestline Drive, and is currently a turfed area that is undeveloped.

Proposed Buildings 1 and 2 are setback 10 feet from the front property line where 20 feet is required. Building 6 is setback 17.59 from the rear property line where 20 is required, and a Variance (VAR-12933) has been requested to provide relief from these requirements. Building 3 is also subject to Residential Adjacency Standards and is setback 52 feet where 63 feet is required. A Variance (VAR-13352) has been requested to provide relief from this requirement.

The number of waivers and variances requested indicates that the site is being overbuilt, and therefore this application is not recommended.

- Waivers

The landscape plan depicts a deficiency of perimeter landscaping along the south and east property lines. Along Garwood Avenue, a 10-foot landscape buffer is provided where 15 feet is the minimum required. In addition, only one 24-inch box tree is located within this planter where six are required. Adjacent to the single family residential along the south property line, a portion of the landscape planter is five feet wide where eight feet is the minimum required. Also within this landscape buffer area, 24-inch box trees are planted 25 feet on-center where 20 feet on-center is the minimum required. Along a portion of the east property line, no landscaping is provided where an eight foot buffer area with 24-inch box trees planted 30 feet on-center are required. This waiver is not recommended as the area along Garwood Avenue is in public view and should be adequately landscaped, and the area along the single family residential should offer buffering and screening from the condominium development.

- Landscape Plan

Perimeter landscaping is adequate along the west and north property lines. Along the south and east property lines, there is a deficiency of landscaping as described in the above section. The site utilizes a mixture of 24-inch box Mondel Pines, Shoestring Acacia's, and African Sumac's. Five existing palm trees will be relocated from their current location on the site to the proposed pool area. Various five gallon shrubs are located thorough out the site. An exception from parking lot landscaping is required as there are zero parking lot trees where four are required.

- Elevation

The building elevations depict five six-unit buildings, one three-unit building, and a clubhouse. Each residential building is two stories, with an attached two-car garage and the living area above it. The exterior will consist of a stucco and stone veneer with a pitched roof constructed of fiberglass shingles. Each building is 23.8 feet to the top of the roof. The clubhouse is a single story structure with an exterior that is similar to the residential buildings. Overall height is approximately nine feet.

- Floor Plan

The floor plans depict two bedroom units that are typical for a condominium development.

## **FINDINGS**

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



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

The proposal does not conform to Residential Adjacency Standards and does not provide adequate landscape buffering along the adjacent single family development to the south. Because of this, the development is not compatible with these dwellings, and therefore the application is not recommended.

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 the requested Variances and Waivers, the site will be consistent with General Plan, Title 19, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted City Plans, policies and Standards

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

The site will receive access via a gated drive from Garwood Avenue, and site access will not negatively impact adjacent roadways or neighborhood traffic.

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

The building and landscape materials are appropriate for the area and for the city.

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

While the building elevations are not unsightly, Building 3 does not meet Residential Adjacency Standards, and therefore it is not harmonious and compatible with development in the area.

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

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

**PLANNING COMMISSION ACTION**

The Planning Commission recommends approval of 32 units only, condition #4.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 6

**ASSEMBLY DISTRICT** 3

**SENATE DISTRICT** 3

**NOTICES MAILED** 265 by Planning Department

**APPROVALS** 0

**PROTESTS** 0



## PLANNING & DEVELOPMENT DEPARTMENT

### STATEMENT OF FINANCIAL INTEREST

Case Number: **SDR-12930** APN: 138-35-517-001 Thru 070

Name of Property Owner: Nevada Equities, LLC

Name of Applicant: Nevada Equities, 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

☒ 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: \_\_\_\_\_

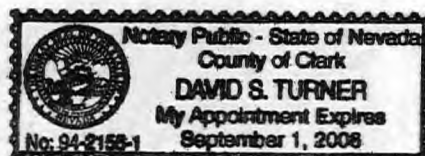
Print Name: Kenny Scheuer, Mayor

Subscribed and sworn before me

This 10th day of April, 2006

K. A. T.

Notary Public in and for said County and State





RECEIVED

[illegible][illegible]

**LEGAL DESCRIPTION**

**TORREY PINES DR.**  
(Pines)

**GARWOOD AVE.**

—GIBSON LINE INC.  
(NO RE WAREHOUSE)

**PHYSICAL EXERCISE**

**DISCLAIMER**

**अनुसूचित जाति/अनुसूचित जाति**

**EXISTING PARKING**

**REQUIRED PARKING DATA**

**REPLY**

**STAY**

**WAVE-AIS**

TYPE OF WORK \_\_\_\_\_  
 CONTRACT NUMBER \_\_\_\_\_  
 NUMBER OF DAYS TO COMPLETE \_\_\_\_\_  
 APPROVED BY \_\_\_\_\_  
 REVIEWED BY \_\_\_\_\_  
 DATE \_\_\_\_\_  
 PROJECT CHAIRMAN \_\_\_\_\_  
 PROJECT \_\_\_\_\_

000000

**LEGEND**

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GRAPHIC SCALARS

**THE CLARK  
JOURNAL**

## ESTABLISHED 1953

## DATE PLAN

SECTION 2A, TOWNSHIP 20 SOUTH, RANGE 40 EAST, T10S R. 40E  
CITY OF LAS VEGAS NEVADA  
TOMMY PAUL JR. AND GARMOD ARL. APR. 20-25-97-001

**BAUGHMAN & TURNER, INC**  
ONE DECADE  
LINO PLASTER

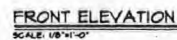
**LAND SURVEYORS**  
12710 HARBOR STREET LAS VEGAS, NEVADA  
PHONE: (702) 878-8771 FAX: (702) 878-2880

**NEW/NE**

NEWMA POLYMER, LLC

2410 Randolph, St.  
Lafayette, La. 70503  
For Order 477-3505 - 477-3506







**QUESTIONS**

737-8866

**WARREN B. BUCHANAN  
ARCHITECT  
LAS VEGAS, NV.**

W374

PROJECT: NEW CONDOMINIUMS  
FOR NEVADA EQUITIES, LLC  
100 SOUTH CHESTNUT DRIVE  
LAS VEGAS, NEVADA

DATE 17 MAR 06

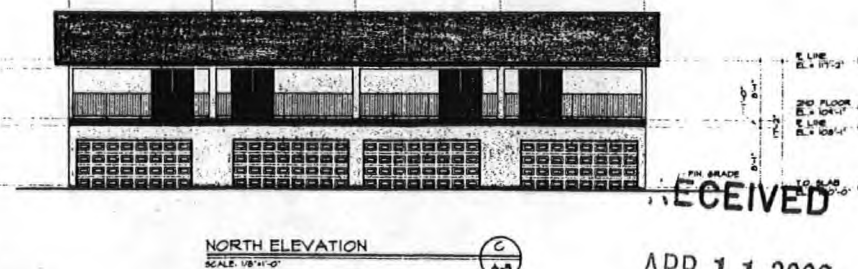
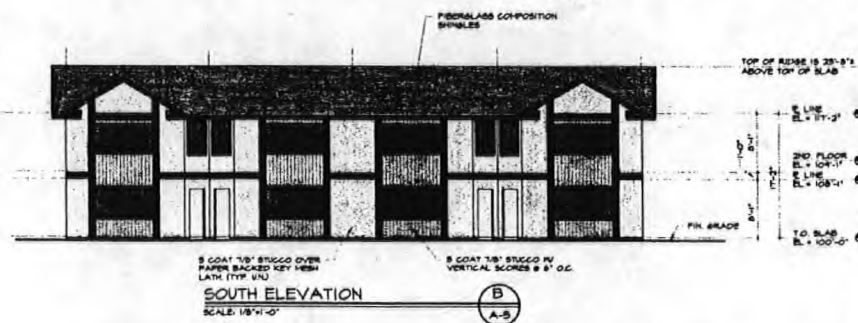
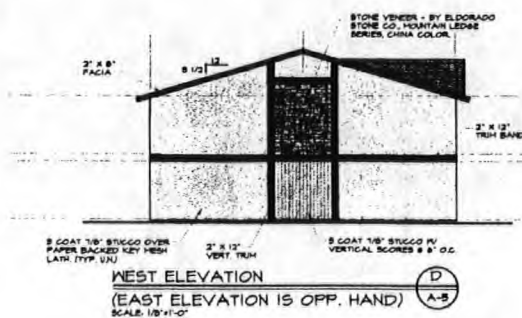
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| 10 | 11 | 12 | 13 | 14 | 15 | 16 | 17 | 18 | 19 | 20 | 21 | 22 | 23 | 24 | 25 | 26 | 27 | 28 | 29 | 30 | 31 | 32 | 33 | 34 | 35 | 36 | 37 | 38 | 39 | 40 | 41 | 42 | 43 | 44 | 45 | 46 | 47 | 48 | 49 | 50 | 51 | 52 | 53 | 54 | 55 | 56 | 57 | 58 | 59 | 60 | 61 | 62 | 63 | 64 | 65 | 66 | 67 | 68 | 69 | 70 | 71 | 72 | 73 | 74 | 75 | 76 | 77 | 78 | 79 | 80 | 81 | 82 | 83 | 84 | 85 | 86 | 87 | 88 | 89 | 90 | 91 | 92 | 93 | 94 | 95 | 96 | 97 | 98 | 99 | 100 |
|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|----|-----|

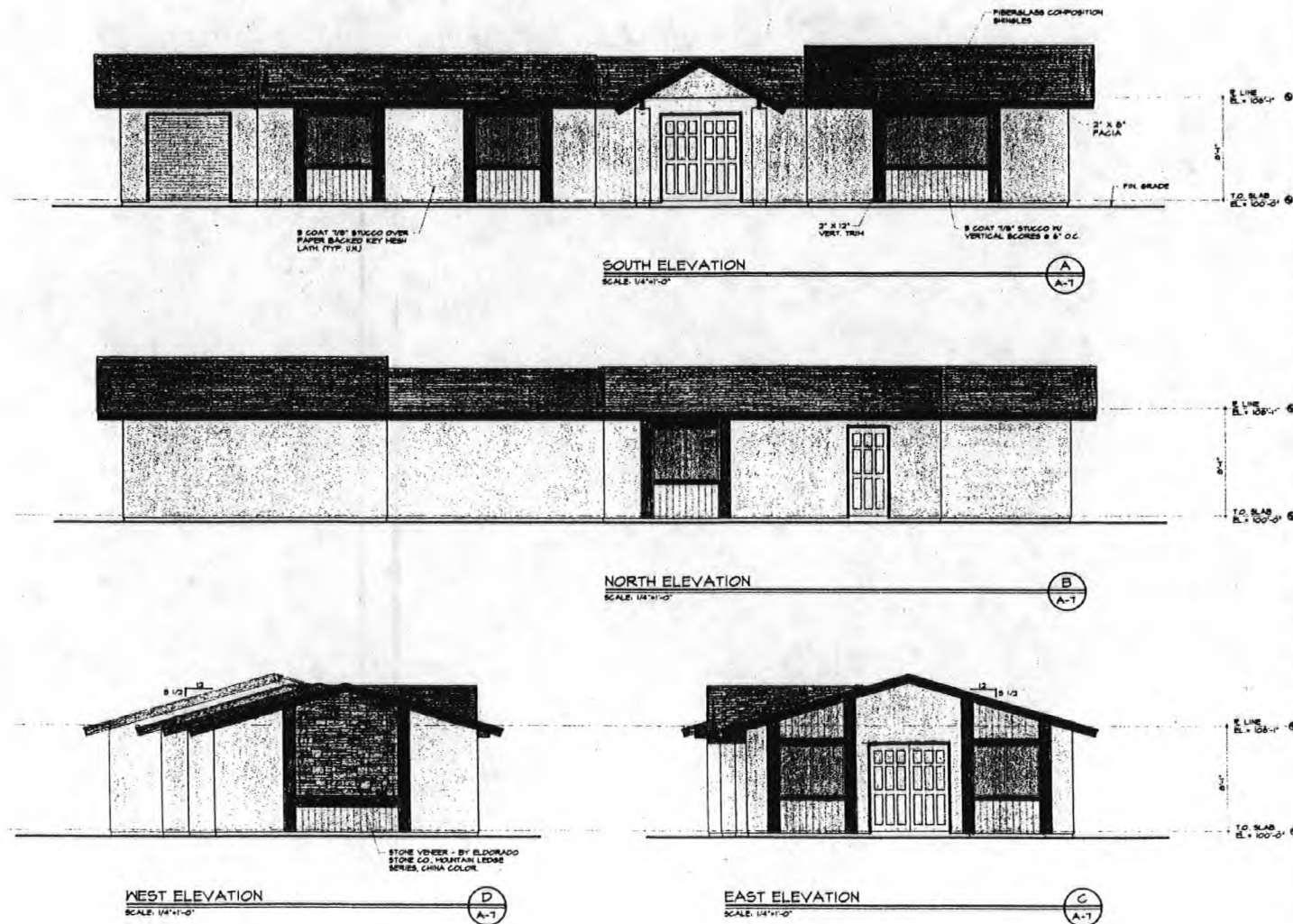
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CONSULTANT

737-8866

**WARREN B. BUCHANAN**  
ARCHITECT  
LAS VEGAS, NV.

**W/B**

SHEET TITLE CLUBHOUSE  
EXTERIOR ELEVATIONS  
PROJECT  
NEW CONDOMINIUMS  
FOR NEVADA EQUITIES, LLC  
100 SOUTH CRESTLINE DRIVE  
LAS VEGAS, NEVADA

DATE 17 MAR 06

SCALE 1/4" = 1'-0"

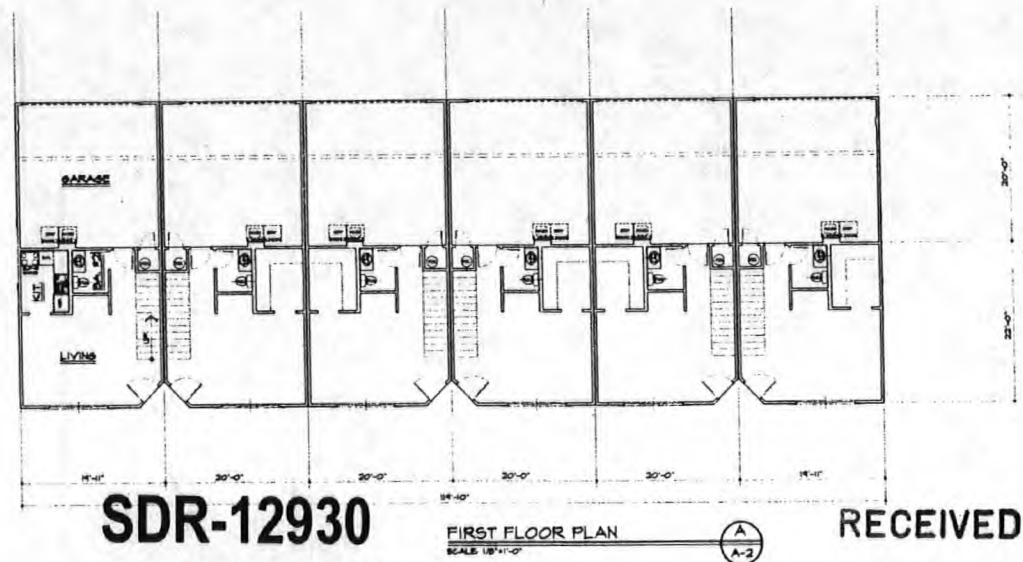
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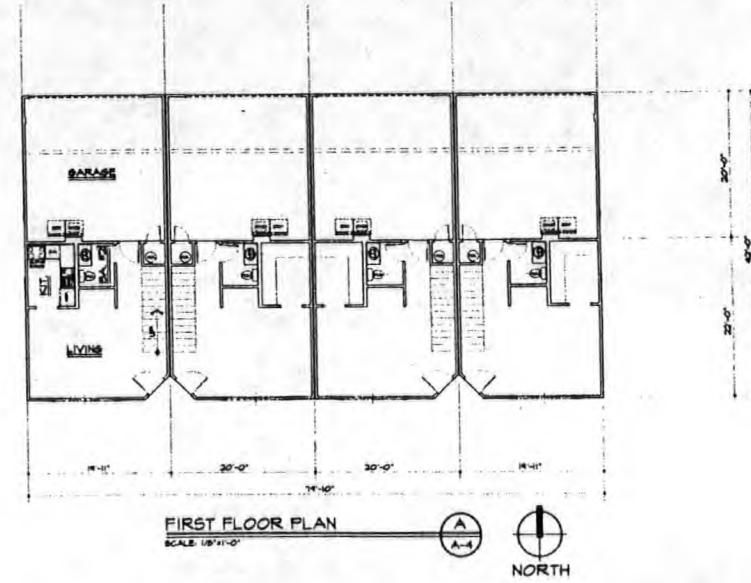
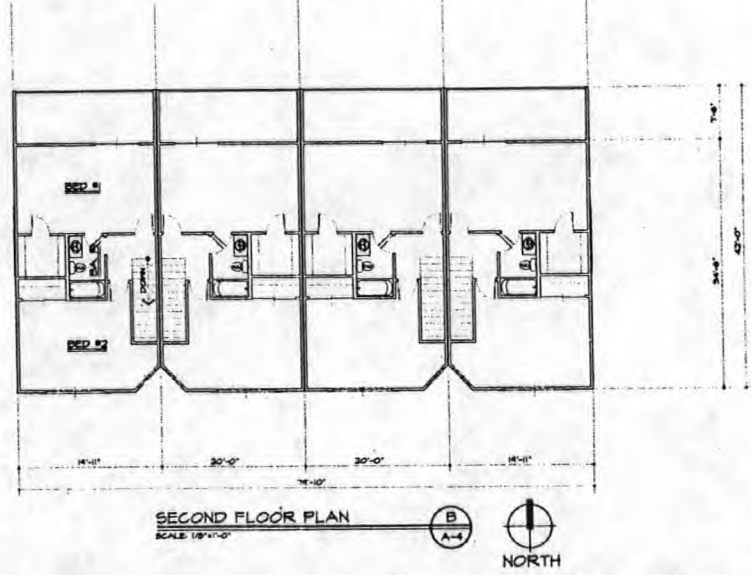
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A-24 FLOOR PLANS (4 UNIT BLDG.)

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CONSULTANT

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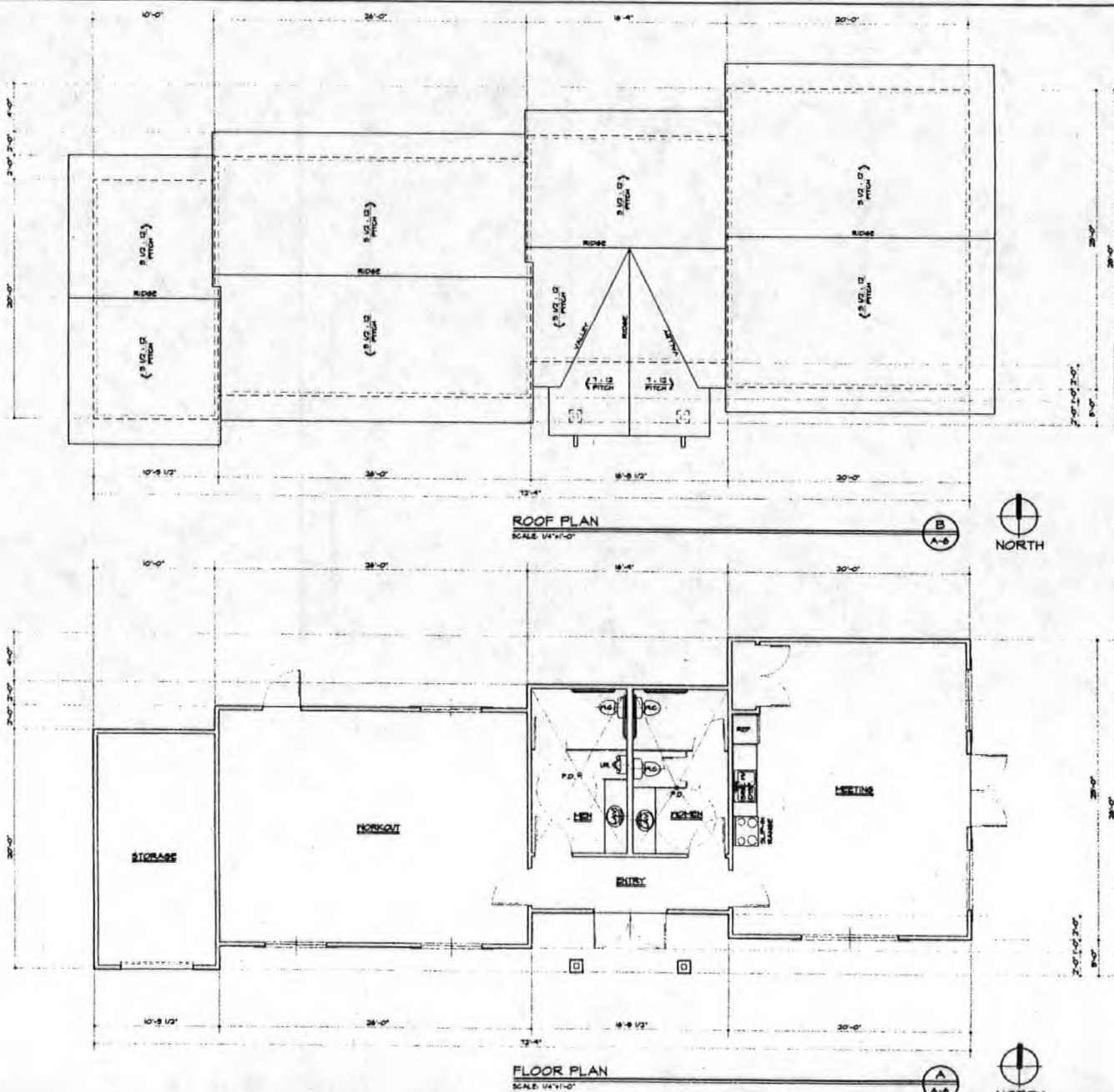
**WARREN B. BUCHANAN**  
**ARCHITECT**  
LAS VEGAS, NV.

**WB**

SHEET TITLE FOUR UNIT BUILDING  
FIRST & SECOND FLOOR PLANS  
PROJECT NEW CONDOMINIUMS  
FOR NEVADA EQUITIES, LLC  
100 SOUTH GARDEN DRIVE  
LAS VEGAS, NEVADA

DATE 17 MAR 06  
SCALE 1/8" = 1'-0"  
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737-8866

**WARREN B. BUCHANAN  
ARCHITECT**  
LAS VEGAS, NV.

**WB**

SHEET TITLE: CLUBHOUSE  
FLOOR AND ROOF PLANS  
PROJECT: NEW CONDOMINIUMS  
FOR NEVADA EQUITIES, LLC  
100 SOUTH CAESARINE DRIVE  
LAS VEGAS, NEVADA

DATE: 11 MAR 06  
SCALE: 1/4" = 1'-0"  
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A-6  
OF 22

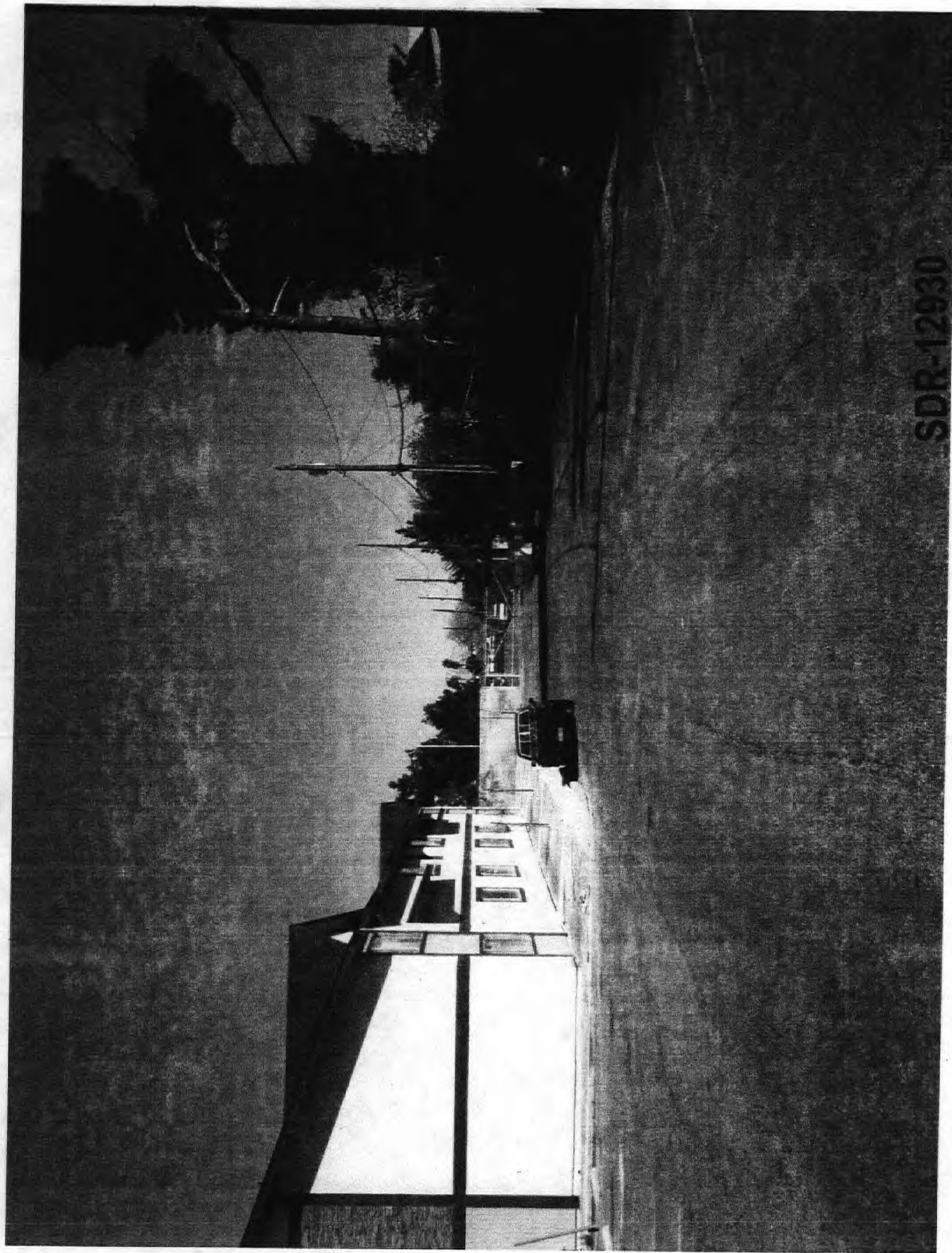
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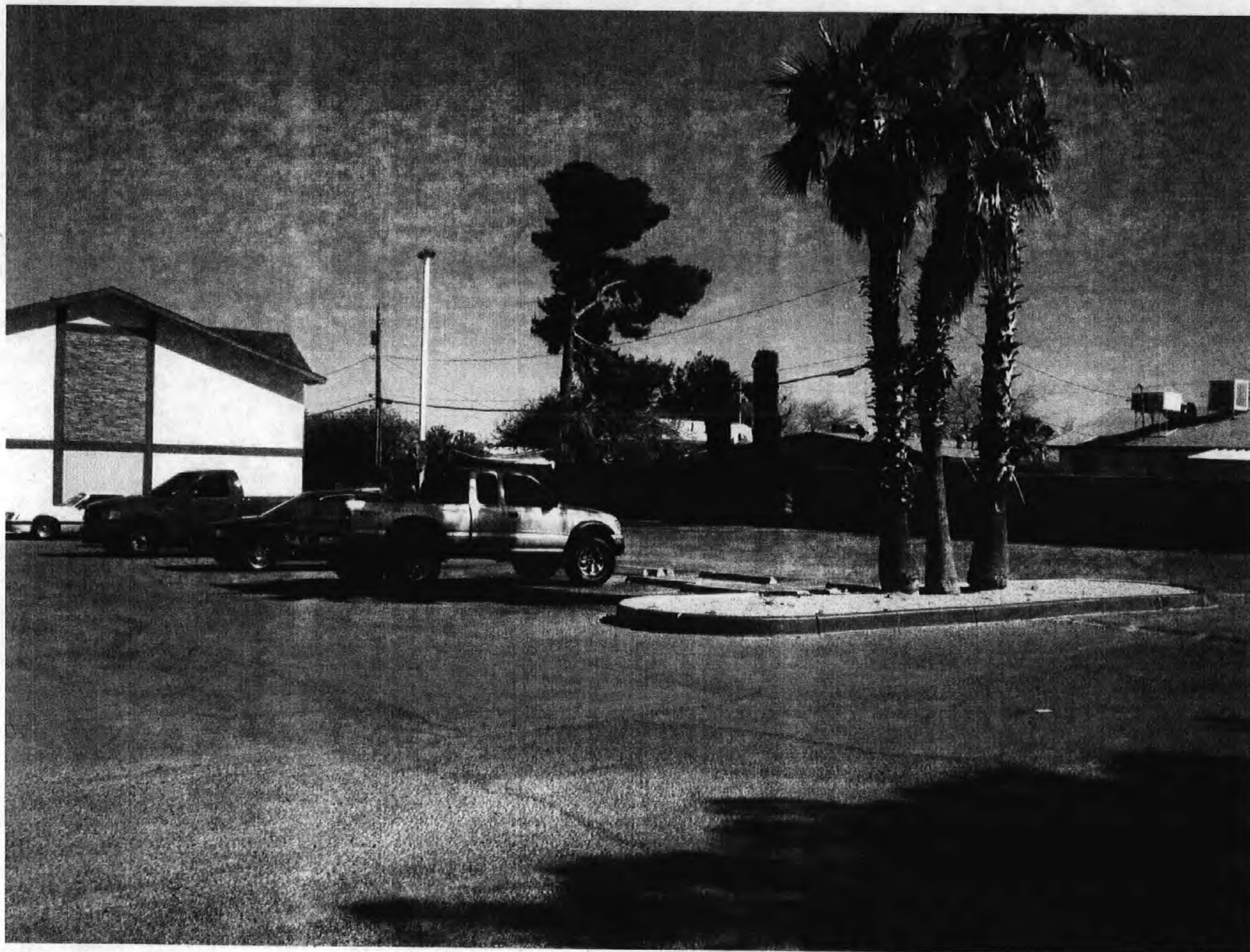


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|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------|-------|----------------|------------|
| <b>SDR 12930</b>                                                                                                                                                                                                                                            |                              |       |                |            |
| <b>Nevada Equities, LLC</b>                                                                                                                                                                                                                                 |                              |       |                |            |
| <b>NEC Garwood &amp; Torrey Pines</b>                                                                                                                                                                                                                       |                              |       |                |            |
| Proposed 34 unit condominium expansion.                                                                                                                                                                                                                     |                              |       |                |            |
| <b>Traffic produced by proposed development:</b>                                                                                                                                                                                                            |                              |       |                |            |
|                                                                                                                                                                                                                                                             | DESCRIPTION                  | #UNIT | RATE/#<br>UNIT | TOTAL      |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                 | RES. CONDO/TOWNHOUSE [DWELL] | 34    | 5.86           | <b>199</b> |
| AM Peak Hour                                                                                                                                                                                                                                                |                              |       | 0.44           | <b>15</b>  |
| PM Peak Hour                                                                                                                                                                                                                                                |                              |       | 0.52           | <b>18</b>  |
| (heaviest 60 minutes)                                                                                                                                                                                                                                       |                              |       |                |            |
| <b>Existing traffic on all nearby streets:</b>                                                                                                                                                                                                              |                              |       |                |            |
| <b>Torrey Pines Way</b>                                                                                                                                                                                                                                     |                              |       |                |            |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                 | 24,573                       |       |                |            |
| PM Peak Hour                                                                                                                                                                                                                                                | 1966                         |       |                |            |
| (heaviest 60 minutes)                                                                                                                                                                                                                                       |                              |       |                |            |
| <b>Garwood Avenue</b>                                                                                                                                                                                                                                       |                              |       |                |            |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                 | 1,766                        |       |                |            |
| PM Peak Hour                                                                                                                                                                                                                                                | 141                          |       |                |            |
| (heaviest 60 minutes)                                                                                                                                                                                                                                       |                              |       |                |            |
| <b>Alta Drive</b>                                                                                                                                                                                                                                           |                              |       |                |            |
| Average Daily Traffic (ADT)                                                                                                                                                                                                                                 | 16,675                       |       |                |            |
| PM Peak Hour                                                                                                                                                                                                                                                | 1334                         |       |                |            |
| (heaviest 60 minutes)                                                                                                                                                                                                                                       |                              |       |                |            |
| <b>Traffic Capacity of adjacent streets:</b>                                                                                                                                                                                                                |                              |       |                |            |
|                                                                                                                                                                                                                                                             | Adjacent street ADT          |       |                |            |
|                                                                                                                                                                                                                                                             | Capacity                     |       |                |            |
| Torrey Pines Way                                                                                                                                                                                                                                            | 32585                        |       |                |            |
| Garwood Avenue                                                                                                                                                                                                                                              | 3000                         |       |                |            |
| Alta Drive                                                                                                                                                                                                                                                  | 16200                        |       |                |            |
| This project will add approximately 199 trips per day on Torrey Pines, Garwood and Alta.                                                                                                                                                                    |                              |       |                |            |
| This will increase expected volumes by less than 1 percent on Torrey Pines, about 11 percent on Garwood and about 1 percent on Alta. Torrey Pines is at about 75 percent of capacity, Garwood is at about 59 percent of capacity and Alta is over capacity. |                              |       |                |            |
|                                                                                                                                                                                                                                                             |                              |       |                |            |

|                                                                                                                                               |  |  |  |  |
|-----------------------------------------------------------------------------------------------------------------------------------------------|--|--|--|--|
| Based on Peak Hour use, this development will add roughly 18 additional cars into the area; which works out to about one every three minutes. |  |  |  |  |
|                                                                                                                                               |  |  |  |  |
| Note that this report assumes all traffic from this development uses all named streets.                                                       |  |  |  |  |





ZON-12932, VAR-12933, VAR-13352, VAC-12934 & SDR-12930 - APPLICANT/OWNER: NEVADA  
EQUITIES, LLC  
NORTHEAST CORNER OF TORREY PINES DRIVE AND GARWOOD AVENUE  
MAY 25, 2006 PLANNING COMMISSION

***Baughman & Turner, Inc.***

*Consulting Engineers & Land Surveyors*

1210 HINSON ST.

PHONE (702) 870-8771

LAS VEGAS, NEVADA 89102-1604

FAX (702) 878-2695

April 11, 2006

**City of Las Vegas, Planning & Development**

731 S. Fourth Street

Las Vegas, NV 89101

**RE: Emerald Crest Condominiums**

To Whom It May Concern,

Please let this letter serve as a justification for it's Site Development Plan Review, for a proposed addition to the above referenced condominium complex. The 4.36 acre site lying at the Northeast corner of Garwood Ave & Torrey Pines Drive represents APN's 138-35-517-001 - 070. Additionally the site is bordered by I-95 to the North, an existing apartment complex to the East, and a R-1 subdivision to the South.

The proposed project will have 70 - 2 bedroom units (36 existing and 34 proposed) representing a 16 dwelling unit per acre density. The ongoing I-95 expansion, condemned a portion of the site, eliminating 6 buildings, representing 36 units. The applicant is looking to gain back some of these units while at the same time upgrading the existing units.

The new buildings will have the same architectural appearance as the existing buildings, white stucco exterior with brown wood trim, rock work at the ends of the buildings and brown composite shingle roof. (See attached pictures). The first floor of each building is garage parking (2 per unit).

Crestlin Drive is being requested to be vacated along with this project. A gated entrance off Garwood Ave. will serve as access to the site.

There are no waivers being requested with this application. Parking exceeds that required by code (135 where 123 required).

We feel this project will enhance the area, and the approval of this project will not have a negative affect on the environment, or general welfare of the public or surrounding area.

Thank you for consideration of this request, should you have any questions, please do not hesitate to call.

Sincerely,

**Baughman & Turner, Inc.**



David S. Turner  
President

**SDR-12930  
05/25/06 PC**