

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JULY 21, 2021

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: OVATION CONTRACTING - OWNER: DEER SPRINGS DURANGO APTS, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
21-0337-ROC1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NOTICES MAILED 764 (By Planning)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

21-0337-ROC1 CONDITIONS

1. Condition of approval #18 of SDR-76995 is hereby revised to read:

“Dedicate 40-feet of right-of-way for Deer Springs Way. Additionally, dedicate cul-de-sacs meeting City Standards for terminating Echelon Point Drive on both ends, unless otherwise allowed by 21-0337-VAR1.”
2. Condition of approval #19 of SDR-76995 is hereby revised to read:

“Concurrent with development of this site, construct all incomplete half street improvements on Deer Springs Way and for the required terminating ends of Echelon Point Drive per Town Center Standards, unless otherwise allowed by 21-0337-VAR1.”
3. Condition of Approval #20 of SDR-76995 is hereby deleted.
4. Condition of Approval #23 of SDR-76995 shall remain as originally approved.
5. Conformance to all other approved conditions for Site Development Plan Review (SDR-76995) and all other site-related actions as required by the Department of Planning and Department of Public Works.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting a Review of Condition for Condition Numbers 18, 19, 20 and 23 of Site Development Plan Review (SDR-76995) approved by the City Council on October 2, 2019.

ISSUES

The applicant is requesting to delete the following conditions for Site Development Plan Review (SDR-76995):

- #18: “Dedicate 80-feet of right-of-way adjacent to this site for Echelon Point Drive and 40-feet of right-of-way for Deer Springs Way prior to the issuance of any permits.”
- #19: “Concurrent with development of this site, construct all incomplete half street improvements on Echelon Point Drive and Deer Springs Way per Town Center Standards.”
- #20: “Echelon Point shall be temporarily blocked with a wrought iron fence at the western edge of this site which may also be required for Secondary Fire Access. The Echelon Point public right-of-way may be temporarily used for parking, landscaping including trees, as well as a fenced area for a dog run, other open space amenities and monument signage through a License Agreement with the City, and subject to removal of said improvements by the licensee at their expense upon written notice by the City. No permanent structures are allowed within the Echelon Point public right-of-way. Prior to Echelon Point being opened to public vehicular traffic, there shall be a public hearing at City Council which authorizes the opening of Echelon Point. The City will construct this roadway improvement if authorized by the City Council.”
- #23: “Submit a license agreement for all landscaping and private improvements, if any, located in the public right-of-way adjacent to this site prior to occupancy of this site. The applicant must carry an insurance policy for the term of the encroachment agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove landscaping and private improvements encroaching in the public right-of-way at the applicant’s expense pursuant to the terms of the City’s encroachment agreement. The installation and maintenance of all private structures in the public right-of-way shall be the responsibility of the adjacent property owner(s) and shall be transferred with the sale of the property for the entire term of the Encroachment Agreement.

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ANALYSIS

Site Development Plan Review (SDR-76995) approved on October 2, 2019 entitles the development of a four-story, 334-unit Multi-Family Residential Development on 9.18 acres located on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive. The proposed Multi-Family Development included the Echelon Point Drive alignment as part of the overall development. Conditions of Approval for Site Development Plan Review (SDR-76995) addressed the private improvements within the right-of-way through a License Agreement.

On April 7, 2021 Ordinance Number 6772 [Bill Number 2021-9] was adopted by the City Council. This Bill amended the Town Center Development Standards Manual by amending Map Six, pertaining to street classifications by removing the designation of Echelon Point Drive as a Town Center Collector. As a result, the applicant is requesting to delete the Conditions of Approval pertaining to the private improvements approved for the Echelon Point Drive alignment.

The applicant has submitted a Petition of Vacation and a Variance application (21-0337-VAC1 and 21-0337-VAR1), scheduled to be heard at the July 13, 2021 Planning Commission meeting. Staff does not object to these actions, as they are consistent with prior approvals and the removal of the Echelon Point alignment from the Town Center Development Standards Manual. Staff recommends Condition of Approval #23 of SDR-76995 should remain as written, as a license agreement will be required for any landscaping in the right-of-way that is dedicated for the Echelon Point Drive cul-de-sac proposed as part of project number 21-0337.

Staff recommends the removal of Condition of Approval Number 20 of SDR-76995, and has added recommended revisions to Condition of Approval Numbers 18 and 19.

FINDINGS

Staff finds the requested Review of Condition to be justified as the City of Las Vegas has removed Echelon Point Drive as a required street in the Town Center Development Standards Manual. Staff is recommending approval of the requested Review of Condition, and has added recommended revisions to the previously approved Conditions of Approval for Site Development Plan Review (SDR-76995).

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
09/13/07	The Planning Commission approved a request to Table a request for a Rezoning (ZON-21702) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town center) on 9.29 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
	The Planning Commission approved a request to Table a request for a Variance (VAR-21703) to allow a Residential Adjacency setback of 10 feet where 603 feet is the minimum required for a proposed 201-foot tall building on 9.29 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
	The Planning Commission approved a request to Table a request for a Special Use Permit (SUP-21704) for High Density (25+ Dwelling Units per Acre) – Single Use on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
09/13/07	The Planning Commission approved a request to Table a request for a Site Development Plan Review (SDR-21700) for a proposed maximum 12-story mixed-use development to include 444 residential condominium units, 439,200 square feet of office space, 41,000 square feet of commercial space and an 11-story parking structure, with Waivers to allow a building height of 12 stories in the Urban Zone where a maximum height of seven stories is required and to allow no building step back where an eight-foot step back above three stories is required on 9.29 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
10/02/19	The City Council approved a request for a Rezoning (ZON-76993) from U (Undeveloped) [TC (Town Center) General Plan Designation] to T-C (Town Center) on 9.19 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
	The City Council approved a request for a Special Use Permit (SUP-76994) for a High Density (25+ Dwelling Units Per Acre) - Single Use on 9.19 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.
	The City Council approved a request for a Site Development Plan Review (SDR-76995) for a proposed four story, 334-unit Multi-Family Residential Development with Waivers of the Town Center Urban Zone Development Standards on 9.19 acres on the south side of Deer Springs Way, approximately 250 feet west of Durango Drive.

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<i>Related Relevant City Actions by Planning, Fire, Bldg., etc.</i>	
12/08/20	The Planning Commission approved a request for a Petition to Vacate (20-0273-VAC1) Government Patent Easements generally located on the south side of Deer Springs Way, approximately 320 feet west of Durango Drive.
04/07/21	The City Council adopted Ordinance Number 6772 / Bill Number 2021-9 to amend the Town Center Development Standards Manual, adopted under LVMC 19.10.060(B), by amending Map Six thereof, pertaining to Street Classifications, to remove the designation of Echelon Point Drive as a Town Center Collector, and to provide for other related matters.

<i>Most Recent Change of Ownership</i>	
10/2019	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses related to the subject site.	

<i>Pre-Application Meeting</i>	
05/19/21	Staff provided the applicant with a submittal checklist for the Review of Condition application request.

<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one held.	

<i>Field Check</i>	
05/26/21	Staff observed the subject site during a routine field check and did not note anything of concern during the visit.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	9.19

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	TC (Town Center)	U (Undeveloped)
North	Undeveloped	TC (Town Center)	T-C (Town Center)
South	CC 215	Right-of-Way	Right-of-Way
East	Convenience Store with Fuel Pumps and Car Wash / Secondhand Store	TC (Town Center)	T-C (Town Center)
	Undeveloped		U (Undeveloped)
West	Single Family, Detached	TC (Town Center)	T-C (Town Center)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Town Center	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
T-C (Town Center) District – UC-TC (Urban Center Mixed Use) Special Land Use Designation	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Centennial Hills Sector Plan	Y
Northwest Open Space Plan	Y
<i>Trails</i>	
Deer Springs Way - Town Center Arterial Trail	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A