

AGENDA MEMO

CITY COUNCIL MEETING DATE: DECEMBER 20, 2006

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-18015 - APPLICANT: GREYSTONE NEVADA, LLC -

OWNER: SOUTHWEST COMMUNITIES DEVELOPMENT LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 9 of Site Development Plan Review (SDR-6307) shall be amended to read, The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet or a minimum of 18 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of 5 feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property liens, which shall have a minimum rear yard setback of 10 feet.
2. Conformance to all other conditions of approval for Site Development Plan Review (SDR-6307) and all other subsequent related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/15/05	The City Council approved a General Plan Amendment (GPA-6298) from O (Office) and SC (Service Commercial) to MLA (Medium-Low Attached Density Residential); Rezoning (ZON-6300) from R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial) to R-PD11 (Residential Planned Development - 11 Units per Acre); Site Development Plan Review (SDR-6307) for a proposed 182 lot single family residential development; and a Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 to allow a Private Drive of up to 234 feet in length where 200 feet is the maximum length allowed and to allow Private Drives greater than 150 feet in length to terminate without a turnaround or an emergency access gate on 17.31 acres. The Planning Commission and staff recommended denial on 04/28/05.
07/14/05	The Planning Commission recommended approval of a Tentative Map (TMP-6942) for a 176 lot single family residential subdivision on 17.31 acres near Jones Boulevard and Craig Road. Staff recommended approval of the request.
<i>Related Building Permits/Business Licenses</i>	
01/26/06	Civil improvement plans (CIVIL-11488) were submitted on the indicated date. The plans were finalized on 05/17/06.
03/23/06	A Final Map (FMP-12579) was submitted on the indicated date. The map was finalized on 05/30/06.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	17.31

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MLA (Medium Low Attached Density Residential)	R-E (Residence Estates) under Resolution of Intent to R-PD10 (Residential Planned Development 10 Units per Acre)
North	Single Family Dwellings	L (Low Density Residential)	R-1 (Single Family Residence)

South	Retail Building/Undeveloped	SC (Service Commercial)	R-E (Residence Estates) under Resolution of Intent to C-1 (Limited Commercial)
East	Single Family Dwellings	ML (Medium Low Density Residential)	R-PD5 (Residential Planned Development 5 Units per Acre)
West	Retail Development	SC (Service Commercial)/L (Low Density Residential)	C-1 (Limited Commercial)/R-1 (Single Family Residential)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		
A-O Airport Overlay District	X		Y
Trails		X	
Rural Preservation Overlay District		X	
Development Impact Notification Assessment		X	
Project of Regional Significance		X	

PROJECT DESCRIPTION

This is a request for a Review of Condition Number 9 of an approved Site Development Plan Review (SDR-6307) to add a minimum 18 foot setback to the front of the garage as measured from back of curb or edge of the private street or drive on 17.31 acres adjacent to the west side of Jones Boulevard, approximately 830 feet north of Craig Road.

ANALYSIS

The current Public Works standard for driveways is a minimum of 18 feet and a maximum of five feet. Currently, Condition Number 9 only indicates a maximum of five feet. The applicant is proposing to add a minimum of 18 feet to Condition Number 9. The addition of the minimum of 18 feet, will allow conformance with the Public Works standard. If the condition is left unchanged, the cars parked in the driveway could pose a potential safety issue. Therefore, the Review of Condition can be supported since it creates an orderly and safe environment within the development.

Previous Conditions of Approval from Site Development Plan Review (SDR-6307)

1. No lot adjacent to the existing residences along the northern and western property lines shall have a finished elevation higher than the existing residential lot it abuts.
2. If legally able and with the permission of the property owner, all existing walls adjacent to the residences along the northern and western property lines shall be torn down and replaced, at the developers sole expense, with a new wall which shall measure a total of 8 feet in height above the finished grade of this site, including any retaining wall which may be required. The developer also agrees to complete the wall between 6212 and 6216 Sierra Pines, in order to tie it into a new property line wall, if allowed by the owners of those homes. The developer also agrees to assume all liability for any damage that may occur to any lateral walls due to construction of a new property line wall and to erect any temporary fence or wall that may be required during the construction of a new permanent wall.
3. A General Plan Amendment (GPA-6298) to an MLA (Medium-Low Attached Density Residential) land use designation and a Rezoning (ZON-6300) to a R-PD11 (Residential Planned Development 11 Units per Acre) Zoning District approved by the City Council.
4. A Waiver (WVR-6441) of Title 18.12.105 and 18.12.130 approved by the City Council.
5. A Variance (VAR-6305) to allow a reduction in open space approved by the City Council.
6. This Site Development Plan Review shall expire two years from date of final approval unless it is exercised or an Extension of Time is granted by the City Council.
7. All development shall be in conformance with the site plan and building elevations date stamped 06/07/2005 for a maximum of 176 units, except as modified by conditions herein.
8. The minimum distance between buildings shall be 6 feet. A maximum of 15 lots, which are restricted to single-story homes, not to exceed 20 feet in height, shall abut the existing residences along the northern and western property lines. Building height on all other lots shall not exceed 2 stories or 35 feet, whichever is less.
9. The setbacks for this development shall be a minimum of 5 feet to the front of the house, a maximum of 5 feet to the front of the garage as measured from back of curb or edge of the private street or drive, a minimum of five feet on the side, and a minimum of 3 feet in the rear, except those lots abutting the existing residences along the northern and western property lines, which shall have a minimum rear yard setback of 10 feet.
10. A revised Lot Fit Analysis shall be submitted for review by Planning and Development Department staff prior to submittal of a Tentative Map on this site.
11. The landscape plan shall be revised and approved by Planning and Development Department staff, prior to the time application is made for a building permit, to reflect 24-inch box trees in the parking areas in conformance with Landscape, Wall and Buffer Standards.

12. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
13. A stamped landscaping plan must be submitted prior to or at the same time application is made for a building permit.
14. Any new property line wall shall be a decorative block wall, with at least 20% contrasting materials; except any which may replace the existing walls adjacent to the residences along the northern and western borders, which shall be of flat block colored and textured to match as closely as possible the individual homeowners existing walls. Retaining walls may not exceed 6 feet without a 4-foot landscaped offset between walls. Wall heights shall be measured from the side of the wall with the least vertical exposure above the finished grade, unless otherwise stipulated.
15. 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.
16. All City Code requirements and design standards of all City departments must be satisfied.
17. The submitted Parcel Map, PMP5453, must record prior to the recordation of a Map subdividing this site.
18. The Special Improvement District section of the Department of Public Works must be contacted and appropriate written agreements (if necessary) must be executed by the property owner(s) of record prior to the recordation of any maps for this site or the issuance of any permits. The written agreements (if applicable) will allow the recalculation and/or the redistribution of all assessments of record on this site.
19. Provide a copy of a recorded Joint Access Agreement between this site and the adjoining parcel to the south prior to the approval of construction drawings or eliminate access.
20. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
21. 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.
22. 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.

23. Site development to comply with all applicable conditions of approval for Zoning Actions Z-0081-02, ZON6300 and all other applicable site-related actions.
24. Public Works notes that waivers from the Title 18 Subdivision Ordinance, 18.12.105 & 18.12.130, must be approved for the site plan received March 15, 2005. If the waivers are not approved the site plan shall be NULL AND VOID and the site must be redesigned.
25. The final layout of the subdivision shall be determined at the time of approval of the Tentative Map.
26. 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 public improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to submittal of a Tentative Map or construction drawings, whichever may occur first. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the submittal of a Tentative Map or construction drawings, whichever may occur first. We note that deviated knuckle designs are shown on this map.

FINDINGS

The addition of the minimum 18 feet to the front of the garage will allow conformance with the current Public Works standard. The added language will also allow for unobstructed vehicular access within the subject development. Staff recommends the additional language to Condition Number 9.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 433

APPROVALS 0

PROTESTS 0