



## AGENDA MEMO

PLANNING COMMISSION MEETING DATE: AUGUST 23, 2007

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - TMP-22564 - APPLICANT/OWNER: EL  
CAPITAN PROPERTIES, LLC

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### \*\* CONDITIONS \*\*

**STAFF RECOMMENDATION:** APPROVAL. If Approved, subject to:

#### *Planning and Development*

1. Approval of the Tentative Map shall be for no more than two (2) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within two (2) years of the approval of the Tentative Map, this action is void.
2. All conditions of approval attached to the site per ZC-0176-91 shall apply.
3. Street names must be provided in accordance with the Citys Street Naming Regulations.
4. 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.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions (CC&R), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements (DPMR) as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.
6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

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**Public Works**

7. Dedicate 25.5 feet of right-of-way adjacent to this site for Gilmore Avenue, 40 feet for El Capitan Way and a 20-foot radius on the southwest corner of El Capitan Way and Gilmore Avenue.
8. Submit a Petition of Vacation for an existing 4.5-foot Declaration of Utilization for road, sewer, and drainage purposes on Gilmore Avenue adjacent to Assessors Parcel Number 138-08-202-004. The Order of Vacation shall record prior to, or concurrent with, the recordation of a Final Map for this site.
9. Construct half-street improvements on El Capitan Way and Gilmore Avenue adjacent to this site concurrent with development of this site. Install all appurtenant underground facilities, if any, adjacent to this site needed for the future traffic signal system concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
10. The onsite street shall be labeled as a private street, be designated as a common lot and shall be labeled as a private street, public utility easement (P.U.E.), public sewer easement and public drainage easement to be privately maintained by the Homeowners Association on the Final Map for this site.
11. A Homeowners Association shall be established to maintain all private roadways, landscaping and common areas created with this development. All private improvements and 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.
12. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.
13. An update to the previously approved Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any grading or building permits, submittal of any construction drawings or the submittal of a Final Map for this site, whichever may occur first. Provide and improve all drainageways as recommended in the approved drainage plan/study.
14. Meet with the Fire Protection Engineering Section of the Department of Fire Services prior to submittal of a Final 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.

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15. The approval of all Public Works related improvements shown on this Tentative Map 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 approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivisionrelated construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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

**PROJECT DESCRIPTION**

This is a request for a Tentative Map for a 56 lot single family residential subdivision on 7.19 acres adjacent to the southwest corner of El Capitan Way and Gilmore Avenue.

Note: The tentative map for this proposal has been modified to add two more lots. In addition, the site has been redesigned with private access drives that do not terminate at a length of over 150 feet, which relieves the applicant from requesting a Waiver of Title 18.12.130. Therefore, Waiver (WVR -21997) has been pulled by the applicant.

**BACKGROUND INFORMATION**

<b><i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i></b>	
10/18/93	The Planning Commission recommended approval of a petition for Annexation (A-0015-93) for the subject site. Clark County approved ZC-0176-91 for R-CL Zoning (Residential Compact Lots) prior to this annexation.
10/19/05	The City Council approved a Tentative Map (TMP-8349) for a 51-lot single family residential subdivision on 7.19 acres adjacent to the southwest corner of El Capitan Way and Gilmore Avenue.
07/12/07	Planning Commission approved an abeyance request by the applicant for Tentative Map (TMP-22564) to the 08/23/07 Planning Commission Meeting.
<b><i>Pre-Application Meeting</i></b>	
04/30/07	A pre-application meeting was held and elements of this application were discussed. It was noted that this site has a R-CL (Single Family Compact Lot) zoning designation. Staff informed the applicant that they would be required an additional application for a Waiver (WVR-21997) to allow a street to terminate in a dead end where a cul-de-sac is required. Submittal requirements were discussed.

<b><i>Details of Application Request</i></b>	
<b><i>Site Area</i></b>	
Net Acres	7.19

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	ML (Medium Low Residential)	R-CL (Single Family Compact Lot)
North	Elementary School, Single Family Residential Development	ML (Medium Low Residential), PF (Public Facilities)	R-CL (Single Family Compact Lot), C-V (Civic)
South	Single Family Residential Development	ML (Medium Low Residential)	R-CL (Single Family Compact Lot)
East	Single Family Residential Development	ML (Medium Low Residential)	R-CL (Single Family Compact Lot)
West	Single Family Residential Development	ML (Medium Low Residential)	R-CL (Single Family Compact Lot)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Area Plan</b>			
Centennial Hills Sector Plan	X		Y
Northwest Open Space Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
<b>Special Purpose and Overlay Districts</b>			
<b>Trails</b>		X	N/A
<b>Rural Preservation Overlay District</b>		X	N/A
<b>Development Impact Notification Assessment</b>		X	N/A
<b>Project of Regional Significance</b>		X	N/A

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**DEVELOPMENT STANDARDS**

<b>Standards</b>	<b>Required</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	3,500 SF	3,500 SF	Y
Avg. Lot Size	3,750	3,753 SF	Y
Min. Lot Width	35 Feet	35 Feet	Y
Min. Setbacks			
• Front	14 Feet	18 Feet	Y
• Side	10 Feet (combined)	10 Feet	Y
• Corner	10 Feet	(combined) Varies;	Y
• Rear	10 Feet	Minimum 10 Feet 10 Feet	Y
Max. Lot Coverage	50%	50%	Y
Max. Building Height	2 Stories / 35 Feet	No Building Elevations Provided	N/A

<b>Waivers</b>		
<b>Request</b>	<b>Requirement</b>	<b>Staff Recommendation</b>
To allow a half hammer head street terminus where a cul-de-sac is required	A cul-de-sac of sufficient radius for emergency vehicle and other large vehicle access	Denial

**ANALYSIS**

**•General information (Residential)**

The request is for a Tentative Map for a 56-lot single family development. This is an addition of six lots from the previous Tentative Map (TMP-22564) approved for the site. This site is somewhat unique in that the Zoning (ZC-0176-91) was approved in Clark County prior to annexation into the City of Las Vegas.

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The surrounding lots, while still in the R-CL zoning district, are slightly larger but are still within the same density range as proposed by the project and conforms to the ML (Medium Low Density Residential) Land Use Designation (7.79 d.u./acre for the subject site). Additionally, the average lot size within the proposed site area is 3,753 square feet, which meets the minimum average for lots in the R-CL district per Title 19 standards.

Overall, the project is consistent with the proposed future land use designated for the area and with current Title 19 standards for the subject site.

**•Cross Section**

The cross section depicts a maximum grade between 0% and 2%. It also indicates a four foot retaining wall with a six foot perimeter block wall on top for a total of ten feet. This height is allowable for the proposed development.

**•Trails**

There are no trails adjacent to the subject site.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

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**ASSEMBLY DISTRICT** 4

**SENATE DISTRICT** 6

**NOTICES MAILED** 601 (Mailed with WVR-21997)

**APPROVALS** 2

**PROTESTS** 22