



AGENDA MEMO

CITY COUNCIL MEETING DATE: AUGUST 20, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-28418 - REVIEW OF CONDITION - PUBLIC HEARING -
APPLICANT/OWNER: PN II, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Condition Number 14 shall be removed.
2. The setbacks for this development shall be a minimum of 20 feet to the front of the garage, when the garage is facing the street, as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, a front setback of 15 feet to a side-loaded garage or house where there is no garage, 7 feet on the side, 15 feet on the corner side, and 20 feet in the rear.
3. Conformance to the Conditions of Approval for Site Development Plan Review (SDR-9095) and all other related actions as required by the Planning and Development Department and Department of Public Works.

Public Works

4. The distance from the face of the garage door to the back of the sidewalk (or curb, if no sidewalk is proposed) shall be a minimum distance of 20 feet when the garage is fronting or facing the street. Driveway lengths for homes with a side loaded garage or no garage must receive written approval from the Traffic Engineering Division of the Department of Public Works on a case by case basis to prevent a car in the driveway from encroaching in the vehicular or pedestrian travel corridor.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Review of Condition Number 14 of an approved Site Development Plan Review (SDR-9095) which required the setbacks for this development to be a minimum of 20 feet to the front of the garage as measured from back of sidewalk or from back of curb if no sidewalk is provided, 7 feet on the side, 15 feet on the corner, and 20 feet in the rear. The proposed Single-Family development is located on at the southwest corner of Iron Mountain Road and Jones Boulevard. The proposed condition change is to accommodate a provision for side-loaded garages on select lots.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/18/04	The City Council approved the request for a Site Development Plan Review (Phase I) for a 27-lot single-family residential subdivision on 18.2 acres adjacent to the southeast corner of Iron Mountain Road and Jones Boulevard (SDR-4198), with this application a Rezoning (ZON-4200) to R-PD2 (Residential Planned Development 2 Units Per Acre) was also approved. The Planning Commission recommended approval and staff recommended denial on 07/08/04.
11/03/04	The City Council approved the request to annex 15.79 acres adjacent to the southeast corner of Maverick Street and Iron Mountain Road (ANX-4777). The Planning Commission and staff recommended approval on 8/26/04.
12/01/04	The City Council approved a request for Site Development Plan Review (SDR-5304) for Phase II of a single family residential that included 33 lots on 15.79 acres. The City Council also approved a related Variance (VAR-5306) to reduce the amount of required open space to 0 acres and a Rezoning (ZON-5302) of the properties to R-PD2 (Residential Planned Development 2 Units Per Acre). The Planning Commission and staff recommended approval for these cases on 11/04/04.
04/28/05	The Planning Commission approved a Tentative Map (TMP-6271) for a 60-lot single-family residential subdivision on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval of this request.

01/04/06	The City Council approved a Site Development Plan Review (SDR-9095) for an 83-lot single family residential development and a Rezoning (ZON-9093) request for Rezoning from R-PD2 (Residential Planned Development - 2 Units per Acre) to R-PD2 (Residential Planned Development - 2 Units per Acre) on 33.39 acres on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. The Planning Commission recommended approval, but staff recommended denial on 12/01/05.
03/09/06	The Planning Commission approved a Variance (VAR-11387) that allowed no open space where 55,364 square feet is required on 33.39 acres adjacent to the southwest corner of Iron Mountain Road and North Jones Boulevard. Staff recommended approval of the subject case.
04/13/06	The Planning Commission approved a Tentative Map (TMP-12092) for a 77-lot Single-Family Residential subdivision on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard. Staff recommended approval of the subject case.
07/12/06	The City Council approved a request for a Review of Condition Number 13 of an approved Site Development Plan Review (SDR-9095) to allow a minimum lot size of 8,500 square feet where 10,003 square feet is required for a proposed residential subdivision on 36.68 acres adjacent to the southwest corner of Iron Mountain Road and Jones Boulevard.

Related Building Permits/Business Licenses

There are no building permits or business licenses related with this request.

Pre-Application Meeting

A pre-application meeting is not required for this type of application request, nor was one held.

Neighborhood Meeting

A neighborhood meeting is not required for this type of application request, nor was one held.

Details of Application Request

Site Area

Net Acres	33.39 acres
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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	DR (Desert Rural Density Residential)/RNP (Rural Neighborhood Preservation)	R-PD2 (Residential Planned Development - 2 Units Per Acre) Zone
North	Undeveloped	PR-OS (Parks/Recreation/Open Space)	R-E (Residence Estates)
South	Undeveloped	RNP (Rural Neighborhood)	R-E (Rural Estates Residential) Clark

		Preservation)	County Designation
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East	Single Family Residential	R (Rural Density Residential)	RPD-3 (Residential Planned Development 3 Units Per Acre)
West	Undeveloped/ Single Family Residential	RNP (Rural Neighborhood Preservation)	R-E (Rural Estates Residential) Clark County Designation

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

ANALYSIS

The applicant is requesting a Review of Condition Number 14 of an approved Site Development Plan Review (SDR-9095) to revise the established setbacks. The applicant has submitted revised site plans that include an additional setback for model homes that utilize a side-loaded garage. Condition Number 14 currently reads as follows:

The setbacks for this building shall be a minimum of 20 feet to the front of the garage as measured from the back of sidewalk or from the back of curb if no sidewalk is provided, 7 feet on the side, 15 feet on the corner side, and 20 feet in the rear.

The applicant is proposing to replace condition number 14 with a new condition that reads:

The setbacks for this building shall be a minimum of 20 feet to the front of the garage door, **when the garage is facing the street**, from the back of sidewalk or from the back of curb if no sidewalk is provided, **a front setback of 15 feet to a side-loaded garage or house where there is no garage**, 7 feet on the side, 15 feet on the corner side, and 20 feet in the rear.

FINDINGS

Staff finds that approval of the requested Review of Condition will not adversely affect the neighboring properties as there is no change in the lot density or model home types. The proposed condition will provide a setback that addresses a side-loaded garage available on select lots and also clarify the front yard setback to the house itself. The lots that utilize a side-loaded garage will maintain the same 15-foot front yard setback established for the house, rather than the door of the garage.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 224

APPROVALS 0

PROTESTS 0