

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: NOVEMBER 6, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: ROC-30013 - APPLICANT/OWNER: SPINNAKER HOME IX LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

1. Conformance to the conditions for approval for Site Development Plan Review (SDR-27226), except as amended herein.

Public Works

2. Construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Phased construction of required half-street improvements shall be allowed in accordance with the phasing plan submitted 09/16/08, excepting that Tenaya Way shall be fully constructed to within 50 feet of the south rightofway line of Grand Teton Drive concurrent with phase 2, and each phase shall be considered a site for the purposes of Condition #19, below. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition of Condition Number 18 of an approved Site Development Plan Review (SDR-27226), which states, construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities such as electrical, telephone, traffic signal system, etc., located within public right-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

The subject site is located on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/19/07	The City Council approved Bill No. 2007-76 pertaining to an Annexation (ANX-19110) of property on the southwest corner of Grand Teton Drive and Tenaya Way. The Planning Commission recommended approval on 04/12/07.
04/10/08	The Planning Commission approved a request for a Site Development Plan Review (SDR-27226) for a 100-lot single-family residential development with access on Whispering Sands Drive on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way.
05/08/08	The Planning Commission approved a request for a Tentative Map (TMP-27023) for a 100-lot single-family residential subdivision on 36.57 acres adjacent to the southwest corner of Grand Teton Drive and Tenaya Way.
07/22/08	The Planning and Development Department approved a request for a Final Map Technical Review (FMP-28848) for Spinnaker Homes at the Orchards Unit 1.
08/15/08	A Code Enforcement case (68788) was processed for overgrown vegetation along Grand Teton Drive, Tenaya Way, and Whispering Sands Drive transition strips. The case was closed on 09/03/08.
<i>Related Building Permits/Business Licenses</i>	
08/20/07	A Land Development permit (23989) was issued for civil improvement plans (307V1015) for County property to connect to City sewer. The permit will expire 09/24/09.
08/05/08	A building permit (121454) was issued for an engineered sign at 7205 Grand Teton Drive. The permit was finalized on 09/02/08.

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Pre-Application Meeting	
09/08/08	A pre-application meeting was held with the applicant to discuss submittal requirements for the Review of Condition application.
Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	
Field Check	
	Will check site 10/21/08

Details of Application Request	
Site Area	
Gross Acres	40.16

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Vacant	DR (Desert Rural Density Residential)	U (DR) [Undeveloped (Desert Rural Density Residential)] under Resolution of Intent to R-PD2 (Residential Planned Development- 2 Units per Acre)
North	Vacant	PCD (Planned Community Development- Clark County)	R-E (Rural Estates Residential- Clark County)
	Single-Family Dwelling	RNP (Rural Neighborhood Preservation- Clark County)	R-E (Rural Estates Residential- Clark County)
South	Single-Family Dwelling	DR (Desert Rural)	R-PD2 (Residential Planned Development 2 Units per Acre)
East	Vacant	RE (Rural Estates- Clark County)	R-A (Residential Agricultural- Clark County)
West	High School-Public	PF (Public Facilities)	C-V (Civic)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan	X		Y
Downtown Centennial Plan	X		Y

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

ANALYSIS

The applicant is requesting to revise Condition Number 18 of an approved Site Development Plan Review (SDR27226), which required construction of half-street improvements adjacent to the overall site, to allow for phased construction. The applicant indicates that they intend to phase the internal development of the site, and request to phase the external off-site improvements to coincide with those internal improvements, in accordance with a phasing plan submitted with this Review of Condition application (dated September 16, 2008).

In addition, the applicant indicates that the City is currently designing a Regional Flood Control facility (a box culvert) to be constructed within the Grand Teton Drive right-of-way in the 2010-2011 fiscal year, which would interfere with the immediate development of Grand Teton Drive as contemplated in the existing condition. The Department of Public Works has confirmed the design and construction plans for this public improvement project, and agrees that delaying the off-site improvements on Grand Teton Drive would be of mutual benefit at this time.

The Department of Public Works recommends approval of the Review of Condition to modify Condition Number 18 of the Site Development Plan Review (SDR-27226). If approved, we recommend that the original condition be rewritten as follows:

Original Condition Number 18:

Construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Extend all required underground utilities such as electrical, telephone, traffic signal system, etc., located within public right-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

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Amended Condition shall read:

Construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Phased construction of required half-street improvements shall be allowed in accordance with the phasing plan submitted 09/16/08, excepting that Tenaya Way shall be fully constructed to within 50 feet of the south rightofway line of Grand Teton Drive concurrent with phase 2, and each phase shall be considered a site for the purposes of Condition #19, below. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). 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.

FINDINGS

The removal of Condition Number 18 from Site Development Plan Review (SDR-27226) and the replacement with the new updated condition is considered appropriate. The Department of Public Works and the Planning and Development Department support this request. Approval of this request is recommended.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 17

ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 255

APPROVALS 0

PROTESTS 0