



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: EOT-30798 EXTENSION OF TIME WAIVER -
APPLICANT/OWNER: TOLL NORTH LV, LLC

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. This Waiver (WVR-23568) shall expire 10/17/10 unless another Extension of Time is approved by the Planning and Development Department.
2. Conformance to all conditions of approval of Waiver (WVR-23568) and all other site related actions as required by the Planning and Development Department and Department of Public Works.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of an approved Waiver (WVR-23568) to Title 18.12.160 to allow internal intersection offset of 84 feet where 125 feet is required adjacent to the northwest corner of Elkhorn Road and Shaumber Road.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/05/03	The City Council approved an Annexation (A-0035-02) of over 1,056 acres in the area bounded by Hualapai Way to the east, Grand Teton Drive to the north, Puli Road to the west and Centennial Parkway and the Beltway alignment to the south, including the subject sites of this Rezoning request. The Planning Commission recommended approval on 09/26/02. The effective date of this annexation was 02/14/03.
03/19/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) on approximately 317.5 acres covering 68 separate parcels in the Cliffs Edge area, and approved the related Cliffs Edge Master Development Plan to regulate development and the provision of infrastructure in the area. The Planning Commission recommended approval on 02/13/03.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) on approximately 704 acres covering 21 separate parcels in the Cliffs Edge area, and approved text modifications to the related Cliffs Edge Master Development Plan to address conditions of approval of ZON1520. The Planning Commission recommended approval on 06/12/03.
02/18/04	The Cliffs Edge Development Agreement (DIR-3451) was introduced to the City Council at this time. It was approved in ordinance form on 03/17/04. The Planning Commission recommended approval on 01/08/04.
03/11/04	The Planning Commission approved a request for a Tentative Map (TMP-3798) for a 35-lot mixed-use subdivision on 922.96 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road.
06/16/04	The City Council approved an amendment to the Master Plan of Streets and Highways (MSH-4197) to add major roads within the Cliffs Edge Master Development Plan area, generally located between Grand Teton Drive and Clark County 215, and between Puli Road and Hualapai Way. The preparation and submission of this request was a condition of approval of the Cliffs Edge parent Tentative Map, as approved by the Planning Commission on March 11,

	2004.
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3/02/05	The City Council approved a request for a Tentative Map (TMP-5798) for a 234-lot single-family residential subdivision and waivers of Title 18.12.105 for a 350-foot private drive where a maximum of 200 feet is allowed and a waiver of Title 18.12.160 for internal intersection offsets of approximately 84 feet and 104 feet where a minimum of 125 feet is required on 40.3 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road. The Planning Commission recommended approval on 01/27/05.
8/03/05	The City Council approved a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to change land use designations from: ML (Medium Low Density Residential) to L (Low Density Residential) and RSL (Residential Small Lot); from: L (Low Density Residential) to ML (Medium Low Density Residential); and from: RSL (Residential Small Lot) to ML (Medium Low Density Residential); and to modify the following sections of the Master Development Plan: sections 2.2, 2.3.5, 2.3.6 and 2.3.7; to modify or add to the design guidelines as follows: section 3.1.1, 3.2.3b, 5.10, 5.10.1, 6.2.1, 6.2.2, 6.2.3, 7 and exhibits 2, 7a,7b, 8a, 14a, 14b, 14c, 15 and 17 on 1,156 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road
11/16/05	The City Council approved a Major Modification (MOD-9174) to the Cliff's Edge Master Development Plan and Design Guidelines to establish standards for rear loaded residential small lot housing products and to add section 3.2.5b to the design guidelines on 1,156 acres including the subject site. The Planning Commission recommended approval on 10/20/05.
12/01/05	The Planning Commission approved a request to Withdraw Without Prejudice a request for a Variance (VAR-9907) to allow a proposed wall with a visible height of 11 feet four inches with a four foot terrace wall where a maximum visible height of seven feet with a five-foot terrace wall is required on 37.02 acres on Shaumber Road approximately 1300 feet south of Farm Road.
4/25/06	A Final Map Technical Review (FMP-7608) for a 10-lot single-family residential subdivision on 4.28 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as Franklin Park at Providence Phase I.
8/29/06	A Final Map Technical Review (FMP-7609) for a 109-lot single-family residential subdivision on 16.60 acres adjacent to the west side Shaumber Road, north of Elkhorn Road was recorded as Franklin Park at Providence Phase II.
10/17/07	The City Council approved a request for a Tentative Map (TMP-23567) for a 199-lot single-family residential subdivision on approximately 33.2 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road. The Planning Commission recommended approval on 09/13/07.
10/17/07	The City Council approved a request for a Petition to Vacate (VAC-23569) public sewer and drainage easements generally located on portions of an existing residential subdivision adjacent to the northwest corner of Elkhorn Road and Shaumber Road. The Planning Commission recommended approval on 09/13/07.

10/17/07	The City Council approved a request for a Waiver (WVR-23568) to Title 18.12.160 to allow an internal intersection offset of 84 feet where 125 feet is required adjacent to the northwest corner of Elkhorn Road and Shaumber Road. The Planning Commission recommended approval on 09/13/07.
01/15/08	A Final Map Technical Review (FMP-26040) for a 103-lot single-family residential subdivision on 33.2 acres adjacent to the northwest corner of Elkhorn Road and Shaumber Road was approved as Franklin Park at providence Phase 2A. The map was not yet been recorded.
09/24/08	A Final Map Technical Review (FMP-29574) for a reversion to acreage of approximately 33.20 acres adjacent to the south side of Shaumber Road, north of Elkhorn Road was approved. The map has not yet been recorded.
<i>Related Building Permits/Business Licenses</i>	
Various building permits have been issued for the model homes and related home sale structures for the subject property.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	37.0 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single-Family Dwellings and Vacant Land	PCD (Planned Community Development)	PD (Planned Development)
North	Single-Family Dwellings	PCD (Planned Community Development)	PD (Planned Development)
South	Single-Family Dwellings and Vacant Land	PCD (Planned Community Development)	PD (Planned Development)
East	Single-Family Dwellings	PCD (Planned Community Development)	PD (Planned Development)
West	Vacant Land	RC (Resource Conservation-Clark County)	PD (Planned Development District -Clark County)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan	X		Y
Cliffs Edge Providence	X		Y

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

ANALYSIS

This is the first request for an extension of time for the proposed site. In the time since the initial approval of the Waiver (WVR-23568), the applicant has made progress on the proposed development by submitting a Final Map Technical Review (FMP-26040) for a 103-lot single-family subdivision and a Final Map Technical Review (FMP-29574) for a reversion to acreage. Both maps have been approved, but not recorded. The applicant cites the decline in market conditions for the project not progressing into final design.

FINDINGS

The applicant has shown progress on the proposed development. Approval of this request is recommended with a two year time limit. Conformance to the conditions of approval for the Waiver (WVR-23568) shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0