



AGENDA MEMO

CITY COUNCIL MEETING DATE: NOVEMBER 19, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ROC-27304 - REVIEW OF CONDITION - PUBLIC HEARING -

APPLICANT/OWNER: DR HORTON

THIS ITEM WAS HELD IN ABEYANCE FROM THE NOVEMBER 5, 2008 CITY COUNCIL MEETING AT THE REQUEST OF COUNCILMAN ROSS.

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Sentence one of Condition number 12 of Site Development Plan Review (SDR-1395) shall be removed.
2. Conformance to all other Conditions of Approval for Site Development Plan Review (SDR-1395) and all other related actions as required by the Planning and Development Department and Department of Public Works shall be required.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This application is a request for a Review of Condition to remove Condition Number 12 of the approved Site Development Plan Review (SDR-1395) which required any property line wall to be decorative block, with at least twenty percent contrasting materials on 2.53 acres between Moccasin Road and Log Cabin Way, 550 feet west of Durango Drive.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
4/26/99	The City Council approved a Rezoning (Z-0001-99) from R-E (Residence Estates) to R-PD2 (Residential Planned Development 2 Units Per Acre) on a portion of this site. The Planning Commission and staff recommended denial on 02/11/99.
5/24/99	The City Council approved a Rezoning (Z-0009-99) from R-E (Residence Estates) to R-PD2 (Residential Planned Development 2 Units Per Acre) on a portion of this site. The Planning Commission recommended and staff approval on 04/15/99.
2/19/03	The City Council approved a Site Development Plan Review (SDR-1395) for a proposed 565-lot single family residential development on this site. The Planning Commission and staff recommended approval on 01/23/03.
8/06/03	The City Council approved a request for a Reinstatement and Extension of Time (EOT-2454) on an approved Rezoning (Z-0001-99) from the R-E (Residence Estates) zoning district to the R-PD2 (Residential Planned Development - 2 Units per Acre) zoning district on 189.2 acres adjacent to the east and west sides of the Durango Drive alignment, between the Moccasin Road and Log Cabin Way alignments
10/23/03	The Planning Commission approved a Tentative Map for Log Cabin Ranch (TMP-3055) for the overall development parcels on this site. Staff recommendation was for approval.
8/04/04	The Planning and Development Department administratively approved a Final Map Technical Review for Log Cabin Ranch (FMP-4806) for the overall development parcels on this site. This map was recorded on 4/18/2005.
4/06/05	The City Council approved a request for an Extension Time (EOT-6090) for an approved Site Development Plan Review (SDR-1395) Review for a proposed 565-lot Single Family Residential Development on 226.80 acres adjacent to the east and west sides of Durango Drive, between Log Cabin Way and Moccasin Road.
11/30/07	Code Enforcement Case #60203: Failure to build decorative block wall per SDR-1395. Applicant will need to file for a Review of Condition. Re-

	inspection by Code Enforcement is scheduled for 5/08/08.
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<i>Related Building Permits/Business Licenses</i>	
4/20/06	Building permit #63898 was issued under Plan Check #L-4050-06 retaining walls along Unit 7 drainage channel. This permit has not received a final inspection.
6/14/06	Building permit #738114, a revision to building permit #732770, was issued under Plan Check #L-4050-06 screen walls within Unit 7. This permit has not received a final inspection.
<i>Pre-Application Meeting</i>	
2/14/08	A pre-application meeting was held with staff to discuss the requirements of r submitting a Review of Condition number 12 of the approved Site Development Plan Review (SDR-1395). The applicant is seeking to install open iron fencing where a decorative block wall is required.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<i>Field Check</i>	
4/04/08	A field check was made by staff with the following observations: - Existing 40-foot wide flood channel with access restricted by locked gates at both the northern and southern ends. - The east side of the channel has retaining and screen walls installed that do not show the required 20% contrasting materials. - The west side of the channel (along the west property line of the development) has a mixture of temporary wire fencing, solid block wall, and portions where the adjacent property is providing inadequate screening and access to the drainage channel.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	2.53 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Single Family Dwelling	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
North	Undeveloped	PR-OS (Parks/Recreation/Open Space)	U (Undeveloped) [TND (Traditional Neighborhood Development)]
South	Single Family Dwelling	Unincorporated Clark County	Unincorporated Clark County
East			

	Single Family Dwelling	PCD (Planned Community Development)	R-PD2 (Residential Planned Development 2 Units per Acre)
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West	Single Family Dwelling/ Undeveloped	DR (Desert Rural Residential)/ RNP (Rural Neighborhood Preservation)	R-E (Residence Estates)
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<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			
R-PD Residential Planned Development District	X		N*
Trails		X	NA
Rural Preservation Overlay District	X		Y
Development Impact Notification Assessment		X	NA
Project of Regional Significance		X	NA

**Per Title 19.06.040, the Site Development Plan Review establishes the design standards for a Residential Planned Development. The requested open iron fence design does not meet the requirement for a solid decorative wall as required by the Site Development Plan Review (SDR-1395)*

DEVELOPMENT STANDARDS

Per Title 19.06.040, the following standards were established with the approved Site Development Plan Review SDR-1395:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Requested</i>	<i>Compliance</i>
Property line walls	Solid decorative block wall with 20% contrasting material.	Open wrought-iron fence with no contrasting material.	N

ANALYSIS

The applicant has requested a Review of Condition Number 12 of the approved Site Development Plan Review (SDR-1395) which reads as follows:

12. Any property line wall shall be a decorative block wall, with at least 20 percent contrasting materials. Wall heights shall be measured from the side of the fence with the least vertical exposure above the finished grade, unless otherwise stipulated.

The applicant states that this condition hinders the ability to install an open iron fence that would prevent surface water flow during a 100-year storm event. The applicant has provided a sectional detail showing an existing solid fourteen-foot wall comprised of a six-foot high screen wall on top of an eight-foot high retaining wall on the east side of the drainage channel. Although the drawing

specifies 20% contrasting material on top of the wall, the existing wall does not meet this criteria. On the west side of the channel, the applicant shows a proposed six-foot high

wrought iron fence on top of a 4.7-foot high retaining wall along the west property line. This proposal for the uncompleted west side will not screen the 40-foot wide drainage channel from the single-family properties to the west of this development.

FINDINGS

While on a field inspection of the subject site, staff observed an inconsistent mix of wooden-rail fencing, wire (chainlink) fencing, and solid block wall at various heights along the west side of the channel. There are safety concerns regarding the adequacy of the wooden fencing and other fencing materials in securing the drainage channel from public access. The entire wall along the east side of the channel also does not provide the 20% contrasting material as required and is not compatible with what the neighbors and the applicants had originally agreed to at the time of the Site Development Plan (SDR-1395) approval. The installation of a solid wall with 20% contrasting material design that allows for adequate drainage would allow compliance to condition number 12 without having to use an open iron screen fence.

Denial of this request is recommended. If approved, conditions of approval are included.

<u>NEIGHBORHOOD ASSOCIATIONS NOTIFIED</u>	N/A
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<u>ASSEMBLY DISTRICT</u>	N/A
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<u>SENATE DISTRICT</u>	N/A
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<u>NOTICES MAILED</u>	366 by Planning Department
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<u>APPROVALS</u>	0
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<u>PROTESTS</u>	0
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