



AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: EOT-36105 - APPLICANT/OWNER: BEAZER HOMES
HOLDING CORPORATION, LLC**

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to conditions.

Planning and Development

1. Conformance to the conditions for Variance (VAR-9078).
2. This approval shall be void two years from the date of final approval, unless a certificate of occupancy has been issued or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for an Extension of Time of a previously approved Variance (VAR-9078), which allowed a 13-foot rear yard setback where 15 feet is the minimum required on three undeveloped lots of a 313-lot single-family residential development on 40.52 acres. This development is generally located on the northeast corner of Farm Road and Puli Road. This request for an Extension of Time will facilitate the completion of an approved Planned Development; therefore, staff recommends approval of this request. If denied the Variance approval would expire.

Issues:

- There have been no notable changes to the surrounding land uses since the Variance was originally approved with the exception of new home construction within the subject development.
- This is the second Extension of Time of an approved Variance (VAR-9078), which was approved by Planning Commission on 10/20/05.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc. and Property Sales</i>	
A change of ownership has not occurred on the subject site.	
02/06/02	The City Council approved an Annexation (A-0026-01) of 95 acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The effective date of the Annexation was 02/15/02. The Planning Commission and staff recommended approval of the request.
02/06/02	The City Council approved an Annexation (A-0028-01) of 10 acres in the northern portion of the Master Plan area, south of Grand Teton Drive. The effective date of the Annexation was 02/15/02. The Planning Commission and staff recommended approval of the request.
06/19/02	The City Council approved an Annexation (A-0027-01) of five acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The effective date of the Annexation was 06/28/02. The Planning Commission and staff recommended approval of the request.
01/08/03	The City Council approved an Annexation (A-0032-02) of five acres in the northern portion of the Cliff's Edge Master Plan area, south of Grand Teton Drive. The effective date of the Annexation was 01/17/03. The Planning Commission and staff recommended approval of the request.

02/05/03	The City Council approved an Annexation (A-0035-02) of 1056 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. The effective date of the Annexation was 02/14/03. The Planning Commission and staff recommended approval of the request.
04/16/03	The City Council approved a Rezoning (ZON-1520) of 297.50 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development). The Planning Commission and staff recommended approval of the request.
07/16/03	The City Council approved a Rezoning (ZON-2184) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 704 acres, which included 21 separate parcels within the Cliff's Edge area, and approved amendments to the Cliff's Edge Master Development Plan. The Planning Commission and staff recommended approval of the request.
12/04/03	Planning and Development staff approved a Minor Modification (MOD-3189) to the Cliff's Edge Master Development Plan and Design Guidelines.
12/17/03	The City Council approved an Annexation (ANX-3087) of 27.50 acres within the Cliff's Edge Master Development Plan area. The effective date of the Annexation was 12/26/03. The Planning Commission and staff recommended approval of the request.
02/18/04	The City Council approved a request for a Rezoning (ZON-3241) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) on 90 acres covering 20 separate parcels within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval of the request.
02/18/04	The City Council approved a Development Agreement between the City of Las Vegas and Cliff's Edge, LLC, for the Cliff's Edge Master Planned Community. The Planning Commission and staff recommended approval of the request.
03/11/04	The Planning Commission approved a Tentative Map (TMP-3798) on 922.96 acres for a 35-lot mixed-use subdivision. The map is known as Cliff's Edge. Staff recommended approval of the request.
05/05/04	The City Council approved a Major Modification (MOD-3955) to the Cliff's Edge Master Development Plan to change the land use designations: Village Commercial to Medium Low Density Residential and Medium Residential; Medium Residential to Residential Small Lot; and to Medium Low Density Residential. The Modification also included changes to Section 6.2.3 regarding retaining walls; and to modify Table 1 (Section 2.2) to reflect changes to the land use categories on 40 acres within the Cliff's Edge Master Development Plan area. The Planning Commission and staff recommended approval of the request.

06/24/04	The Planning Commission approved a Tentative Map (TMP-4431) for a 313-lot single-family residential subdivision on 40.52 acres adjacent to the north side of Farm Road, between Puli Road and Shaumber Road. Staff recommended approval of the request.
10/20/05	The Planning Commission approved a Variance (VAR-9078) to allow a 13-foot rear yard setback where 15 is the minimum required on three lots on 40.52 acres adjacent to the northwest corner of Farm Road and Puli Road. Staff recommended approval of the request.
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 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 generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval of the request.
12/06/07	The Planning Commission approved an Extension of Time (EOT-25199) of an approved Variance (VAR-9078) to allow a 13-foot rear yard setback where 15 feet is the minimum required for three proposed lots within a 313 lot residential subdivision on 40.52 acres adjacent to the north side of Farm Road, between Puli Road and Shaumber Road. Staff recommended approval of the request.
11/05/09	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/bts).
<i>Related Building Permits/Business Licenses</i>	
There are no Building Permits or Business Licenses related to the request.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this request, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	
<i>Field Check</i>	
09/01/09	A field check was completed by Planning and Development staff on the indicated date. The following items were noted on the subject site: Staff identified the three existing undeveloped parcels within the existing development.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	40.52 acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PCD (Planned Community)	PD (Planned Development)
North	Undeveloped and Single-Family Dwellings	PCD (Planned Community)	PD (Planned Development)
South	Undeveloped and Single-Family Dwellings	PCD (Planned Community)	PD (Planned Development)
East	Undeveloped and Single-Family Dwellings	PCD (Planned Community)	PD (Planned Development)
West	Undeveloped and Single-Family Dwellings	PCD (Planned Community)	PD (Planned Development)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan			
Cliff's Edge Master Development Plan	X		Y
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD Planned Development District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

This is the second request for an Extension of Time for the subject Variance (VAR-9078), which was approved by the Planning Commission on 10/20/05. The original request was to allow a 13-foot rear yard setback where 15 feet is the minimum required for three proposed lots within a 313 lot residential subdivision. The applicant indicates that additional time is needed in-order for the subject lots to be developed.

FINDINGS

The subject site remains in a similar condition as to the original approval. There have been no notable changes to the surrounding land uses since the Variance was originally approved with the exception of new home construction within the subject development. Approval of this request will allow the applicant additional time to construct the single-family homes on the indicated lots and build out the existing development. Staff has no objection to this request for an Extension of Time.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED N/A

APPROVALS 0

PROTESTS 0