

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: MAY 27, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: ROYAL CONSTRUCTION - OWNER:
SPINNAKER HOMES SIX, LLC**

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
EOT-37908	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

EOT-37908 CONDITIONS

Planning and Development

1. This Extension of Time shall expire on 04/10/12, unless another Extension of Time is approved by the Planning Commission.
2. Conformance to all applicable conditions of approval for Site Development Plan Review (SDR-27226) as required by the Planning and Development Department.

Staff Report Page One
May 27, 2010 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site consists of 40 undeveloped gross acres located at the southwest corner of Grand Teton Drive and Tenaya Way. A 100-lot single family residential planned development was approved on the site in 2008. Lot sizes range from 9,375 square feet to 16,224 square feet. The development will be accessed from a main entry located along Whispering Sands Drive. The interior of the project includes a private street width of 37 feet, which provides access to each residential parking garage. Issues related to drainage on the site have delayed progress of the development. As site conditions and the area around the site remains unchanged, staff recommends approval of the Extension of Time. If this request is denied, the approved Site Development Plan Review will expire and a new Site Development Plan Review would be required for future development of the site.

ISSUES

- The site was originally approved for a 100-lot single-family residential development in Clark County. It was annexed in 2008, and the design was subsequently changed to allow access from Whispering Sands Drive instead of Tenaya Way.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
09/07/05	The Clark County Board of Commissioners approved a Non-Conforming Zone Change (NZC-0681-05) from R-A (Residential Agricultural) to R-E (Rural Estates Residential) and a Use Permit for a maximum 100-lot single family planned unit development on the subject site. The site plan associated with this request indicated that the entrance to the subdivision was to be located on Tenaya Way. The Resolution of Intent to the R-E District was to expire 09/07/08 unless the development was completed or an Extension of Time filed. Clark County Planning staff recommended denial.
11/03/05	The Clark County Planning Commission approved a Tentative Map (TM-0565-05) for a 100-lot single family residential subdivision on the subject site. Clark County Planning staff recommended approval. The approved Tentative Map expired 11/03/07.
03/09/06	The Clark County Planning Commission approved a Waiver (WS-0103-06) of Development Standards to allow a combination wall of retaining and screening to be increased to 13.8 feet where 12 feet (six foot screen, six foot retaining) is the maximum allowed on the subject property. Clark County Planning staff recommended approval.

Staff Report Page Two
May 27, 2010 - Planning Commission Meeting

01/16/08	The City Council approved a Petition to Annex (ANX-19110) property located at the southwest corner of Tenaya Way and Grand Teton Drive, containing approximately 36.57 acres. The Planning Commission and staff recommended approval. The annexation became effective on 01/25/08, and the property was classified U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre).
04/10/08	The Planning Commission approved a Site Development Plan Review (SDR-27226) for a proposed 100-lot single family residential development with access on Whispering Sands Drive. Staff recommended approval.
05/08/08	The Planning Commission approved a Tentative Map (TMP-27023) for a proposed 100-lot single family residential subdivision (Spinnaker Homes at the Orchards) on 36.57 acres on the subject site. Staff recommended approval. The Tentative Map will expire 05/08/12 unless a final map covering all or part of the subject property is recorded.
07/22/08	The Planning and Development Department approved a Final Map Technical Review (FMP-28848) for a 33-lot single family residential subdivision (Spinnaker Homes at the Orchards Unit 1). The map has not yet recorded.
08/15/08	A Code Enforcement case (#68788) was opened to investigate a complaint about overgrown vegetation along the Grand Teton Drive, Tenaya Way and Whispering Sands Drive transition strips. The case was resolved by Code Enforcement on 08/29/08.
11/06/08	The Planning Commission approved a Review of Condition (ROC-30013) Number 18 of an approved Site Development Plan Review (SDR-27226), which required the construction of half-street improvements on Grand Teton Drive and Whispering Sands Drive; the extension of all required underground utilities located within public right-of-way and the restoration of all existing paving damaged or removed by the subject development to its original location and to its original width. A new condition of approval allowed phased construction of half-street improvements in accordance with a phasing plan submitted 09/16/08, except that Tenaya Way shall be fully constructed to within 50 feet of the south right-of-way line of Grand Teton Drive concurrent with Phase 2, and each phase shall be considered a “site.” Staff recommended approval.
07/31/09	A Code Enforcement case (#80391) was opened to investigate a complaint about weeds growing on the sidewalk adjacent to a large vacant lot on the subject site. The case was resolved by Code Enforcement on 08/03/09.
08/11/09	A Code Enforcement case (#80706) was opened documenting a complaint about high weeds around the perimeter (on the unimproved right-of-way) of a vacant lot on the subject site. The case was resolved by Code Enforcement on 08/26/09.

Most Recent Change of Ownership

11/16/05	A deed was recorded for a change in ownership.
----------	--

Staff Report Page Three
May 27, 2010 - Planning Commission Meeting

<i>Related Building Permits/Business Licenses</i>	
09/04/07	Building permit applications were submitted for plan check of two residential floor plans (B-MDL-24340, B-MDL-24341) for development at 7207 Grand Teton Drive (on the subject site). Plan review is incomplete and no permits have been issued.
09/05/07	Building permit applications were submitted for plan check of two residential floor plans (B-MDL-24338, B-MDL-24339) for development at 7207 Grand Teton Drive. Plan review is incomplete and no permits have been issued.
08/05/08	A building permit (#121454) was issued for a 128 square-foot single-faced freestanding (subdivision development sale) sign at 7205 Grand Teton Drive. A final inspection was completed on 08/20/08.

<i>Pre-Application Meeting</i>
A pre-application meeting was not required for this application, nor was one held.

<i>Neighborhood Meeting</i>
A neighborhood meeting was not required for this application, nor was one held.

<i>Field Check</i>	
04/27/10	A site visit revealed the following: • The site is undeveloped and contains mostly grass and weeds. • A freestanding subdivision development sign advertising the proposed development is located on the south side of Grand Teton Drive, approximately 600 feet from Tenaya Way. • East of Tenaya Way is the Gilcrease Orchards acreage containing outbuildings. • A barbed wire fence is located on the south and east perimeter of the subject property.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	40.16
Net Acres	36.41

Staff Report Page Four
May 27, 2010 - Planning Commission Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Undeveloped	DR (Desert Rural Density Residential)	U (Undeveloped) under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre)
North	Single Family Dwelling, Detached	MDP (Major Development Project – Clark County)	R-E (Rural Estates Residential – Clark County)
	Undeveloped	MDP (Major Development Project – Clark County)	R-E (Rural Estates Residential – Clark County) under Resolution of Intent to C-1 (Local Business – Clark County)
South	Single Family Dwellings, Detached	DR (Desert Rural Density Residential)	R-PD2 (Residential Planned Development – 2 Units per Acre)
East	Undeveloped/Agricultural	RE (Rural Estates – Clark County)	R-A (Residential Agricultural – Clark County)
West	Public School, Secondary	PF (Public Facilities)	C-V (Civic)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
R-PD (Residential Planned Development) District	X		Y
Trails (Multi-Use Non-Equestrian Trail)	X		Y
Rural Preservation Overlay District		X	N/A
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A*

*The development associated with the approved Site Development Plan Review (SDR-27226) was considered a Project of Regional Significance and an environmental assessment was processed accordingly.

Staff Report Page Five
May 27, 2010 - Planning Commission Meeting

DEVELOPMENT STANDARDS

Pursuant to Title 19.06 and the approved Site Development Plan Review (SDR-27226), the following development standards apply:

<i>Standard</i>	<i>Provided</i>
Min. Lot Size	9,375 s.f.
Min. Lot Width	75 feet
Minimum Building Setback: • Front • House 10 feet • Garage 18 feet • Side 5 feet • Corner Side 10 feet • Rear 15 feet • Casita • From Main Dwelling 6 feet • Side 5 feet • Rear 5 feet	
Max. Building Heights • Lots 95 and 96 1 story/20 feet • All other lots 2 stories/32 feet	

<i>Existing Zoning</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
U (Undeveloped) [DR (Desert Rural Density Residential) General Plan Designation] under Resolution of Intent to R-PD2 (Residential Planned Development – 2 Units per Acre)	2.49 du/ac	100 (40.16 gross acres)

Staff Report Page Six
May 27, 2010 - Planning Commission Meeting

Pursuant to Title 19.12 and the approval for SDR-27226, the following landscape and open space standards apply to the subject proposal:

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees:				
• North	1 Tree / 30 Linear Feet	20 Trees	0 Trees	Y*
• South	1 Tree / 30 Linear Feet	41 Trees	47 Trees	Y
• East	1 Tree / 30 Linear Feet	39 Trees	45 Trees	Y
• West	1 Tree / 30 Linear Feet	40 Trees	61 Trees	Y
TOTAL PERIMETER TREES		140 Trees	153 Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	6 Feet		15 Feet	Y
• South	6 Feet		6 Feet	Y
• East	6 Feet		6 Feet	Y
• West	0 Feet		16-30 Feet	Y
Wall Height			6 Feet	Y

*The applicant agreed to plant 20 trees on the north perimeter of the site as a condition of approval of SDR-27226.

<i>Open Space – R-PD only</i>							
<i>Total Acreage</i>	<i>Density</i>	<i>Required</i>			<i>Provided</i>		<i>Compliance</i>
		<i>Ratio</i>	<i>Percent</i>	<i>Area</i>	<i>Percent</i>	<i>Area</i>	
40.16 acres	2.50 du/ac	1.65	4.125%	72,161 SF	5.38%	94,127 SF	Y

Pursuant to Title 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Dwelling, Detached	100 units	2 spaces/ dwelling unit	200		200		Y
TOTAL SPACES REQUIRED			200		200		Y
TOTAL (With Handicapped)			200	0	200	0	Y

Staff Report Page Seven
May 27, 2010 - Planning Commission Meeting

ANALYSIS

Upon annexation of the property, the city of Las Vegas honored the County approved development plan and allowed the applicants to proceed with the submittal of a Tentative Map, as the previous Tentative Map under the jurisdiction of the County had expired. Review of the Tentative Map revealed the plan originally approved by the County had changed; the entrance to the proposed subdivision was now on Whispering Sands Drive rather than on Tenaya Way. The change to the plan prompted a Site Development Plan Review pursuant to Title 19.18.050.

The applicant states that additional time is needed to complete this development, as drainage issues requiring coordination between the applicant and the city of Las Vegas, Clark County and the Clark County Regional Flood Control District have delayed construction. Construction has also been delayed by the applicant pending improvement in the residential real estate market. According to the applicant, the additional time would be used to analyze the market to target the optimal time to progress.

A Tentative Map (TMP-27023) has been approved for the site and a Final Map Technical Review has been completed for the first phase of the development. A final map on all or a portion of the site must be recorded prior to 05/08/12, the expiration date for the Tentative Map approval.

The site and the surrounding properties have not changed since the time of approval. The owner has complied with all requests to maintain the property. Staff therefore recommends approval, subject to expiration in two years.

FINDINGS (SDR-27226)

In order to approve a Site Development Plan application, per Title 19.18.050 the Planning Commission and/or City Council must affirm the following:

1. The proposed development is compatible with adjacent development and development in the area;

The proposed development is compatible with development in the area. The lot sizes proposed as part of this development are similar in size to the lots on the south side of this subdivision. A high school is adjacent to the west side of this property.

2. The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;

Staff Report Page Eight
May 27, 2010 - Planning Commission Meeting

The existing General Plan designation of the subject site is DR (Desert Rural Density Residential), which allows a density of up to 2.49 units per acre. The zoning Resolution of Intent to R-PD2 (Residential Planned Development - 2 Units per Acre), at the current density of 2.49 dwelling units per acre, is consistent with the current General Plan designation. An R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic and homogeneity of land use patterns.

3.Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Site circulation is provided by 37 foot private drives. Access into the subdivision is provided by Whispering Springs Avenue, a 60-foot public right-of-way. The proposal will not negatively impact adjacent roadways or neighborhood traffic.

4.Building and landscape materials are appropriate for the area and for the City;

Building and landscape materials are appropriate for this area of the City.

5.Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The elevations depict one and two story homes with tile shingles, walls finished in stucco and enhanced with stone veneer and composite wood trim. They are not unsightly or obnoxious in appearance. The development provides open space centrally located within the subdivision.

6.Appropriate measures are taken to secure and protect the public health, safety and general welfare.

The proposed changes will not compromise the public health or general welfare.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

19

NOTICES MAILED

N/A

Staff Report Page Nine
May 27, 2010 - Planning Commission Meeting

APPROVALS 0

PROTESTS 0