

**AGENDA MEMO****PLANNING COMMISSION MEETING DATE: OCTOBER 21, 2010****DEPARTMENT: PLANNING AND DEVELOPMENT****ITEM DESCRIPTION: APPLICANT: RICHMOND AMERICAN HOMES - OWNER:
PROVIDENCE 207, LLC**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ROC-39470	Staff recommends DENIAL, if approved subject to conditions:	N/A

**** CONDITIONS ****

ROC-39470 CONDITIONS

Planning and Development

1. Condition Number 1 of Variance (VAR-13245) shall be amended to read, "Lots 22, 92, 98, 102, 135 and 136 shall be fire sprinkled and receive Fire Department approval."
2. Conformance to all other conditions of approval for Variance (VAR-13245) and all site related actions as required by the Planning and Development Department and Department of Public Works.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition to modify Condition of Approval Number 1 of a previously approved Variance (VAR-13245) that required all units to be fire sprinkled and receive Fire Department approval on 20.9 acres at the southwest corner of Hualapai Way and Farm Road. The applicant is proposing to modify the condition to limit the sprinkler requirement to Lots 22, 92, 98, 102, 135 and 136. Twelve units have been constructed by the previous developer. The current developer wants to only fire sprinkle six of the remaining 207 undeveloped lots. Staff recommends denial, as all units are required to be fire sprinkled, due to the narrow private street widths and as a condition of the approved civil drawings. If this application is denied, the applicant will need to provide fire sprinklers for all buildings.

ISSUES

- Per the City of Las Vegas Fire and Rescue Department, the applicant “must be in full compliance with the approved civil drawings. All buildings shall be protected by fire sprinkler systems.”
- Fire sprinklers are required, based on the narrow streets and street stubs, as well as an approved Variance (VAR-13245) that allows a side yard setback of two feet.

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 approximately 1,056 acres, which included the subject property. The Planning Commission and staff recommended approval. The effective date of this annexation was 02/14/03.
07/16/03	The City Council approved a request for a Rezoning (ZON-2184) from U (Undeveloped) Zone [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) Zone on approximately 704 acres, which included a portion of the subject property. The Planning Commission and staff recommended approval.
02/18/04	The City Council approved a Development Agreement (DIR-3451) between the City of Las Vegas and Cliff's Edge, Limited Liability Company, for the Cliff's Edge Master Planned Community. The Planning Commission and staff recommended approval.

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03/11/04	The Planning Commission approved the Cliff's Edge Parent Tentative Map (TMP-3798) of 923 acres, which included the subject property. This Tentative Map serves as the guide for the further subdivision of land within the Cliff's Edge Master Development Plan area. The Planning and Development staff recommended approval.
08/03/05	The City Council approved a Major Modification (MOD-6279) to the Cliff's Edge Master Development Plan to retaining walls in conjunction with interior perimeter walls (i.e. "product" walls) to be higher than seven feet. The Planning Commission and staff recommended approval.
11/16/05	The City Council approved a request for 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 generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli. Planning Commission and staff recommended approval. The two subject parcels were affected by this request.
02/15/06	The City Council approved a request for a Major Modification (MOD-10531) to the Cliff's Edge Master Development Plan and Design Guidelines to change land use designations from: M (Medium Residential) to: RSL (Residential Small Lot); to modify section 2.2 and the accompanying exhibit of the master development plan; and to modify section 2.1, exhibit 2-4 of the design guidelines to reflect changes to the land use categories on two separate parcels, one noted as POD 113 and located on 17.1 acres adjacent to the southwest corner of Farm Road and Hualapai Way and the other noted as a portion of POD 308 located on 9.12 acres adjacent to the northeast corner of West Centennial Parkway and North Shaumber Road. The Planning Commission and staff recommended approval.
03/23/06	The Planning Commission approved a Tentative Map (TMP-11447) for a 220 lot single family residential subdivision on the subject site. The Planning and Development staff recommended approval.
07/12/06	The City Council approved a request for a Variance (VAR-13245) to allow 220 single family dwellings with side yard setbacks of two feet where three feet is the minimum setback required on 20.9 acres at the southwest corner of Hualapai Way and Farm Road. The Planning Commission and staff recommended denial.
10/21/10	The Planning Commission will hear an application for a Variance (VAR-39468) to allow the garage setback to be seven feet or less, where five feet or less is required; a front yard, second-story setback of three feet where eight feet is required on 207 undeveloped single-family residential lots; and rear and side yard setbacks of 7 feet where 10 feet is required on lots 21 and 103. The Planning and Development Department Staff recommend denial.

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<i>Most Recent Change of Ownership</i>	
06/29/10	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/31/06	A building permit (75156) was issued for grading at 10155 Farm Road. The permit was finalized on 10/31/06.
01/25/07	A building permit (7000347) was issued for a Temporary Sales Trailer at 10155 Farm Road. The permit was finalized on 05/17/07.
05/23/07	A building permit (7001732) was issued for a Pool Cabana at 10155 Farm Road. The permit was finalized on 04/17/08.
02/22/08	A building permit (99151) was issued for a pool/spa at 10155 Farm Road. The permit was finalized on 08/06/08.
C. 2008	12 single family homes were constructed and sold.

<i>Pre-Application Meeting</i>	
08/26/10	A pre-application meeting was held with the applicant, where the submittal requirements for a Review of Condition and a Variance were discussed.

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

<i>Field Check</i>	
09/16/10	The site contains a partially developed single family residential subdivision, with 207 vacant lots overgrown with weeds.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	20.9

<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	Single Family Homes / Graded Single Family Lots	RSL (Residential Small Lot)	PD (Planned Development)

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North	Single Family Homes / Graded Single Family Lots	ML (Medium-Low Density Residential)	PD (Planned Development)
South	Single Family Homes / Graded Single Family Lots	L (Low Density Residential)	PD (Planned Development)
East	Single Family Homes Clark County	RL (Residential Low Density) Clark County	R-D (Suburban Estates Residential) Clark County
West	Undeveloped	PF (Public Facilities)	PD (Planned Development)

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area			
Cliff's Edge	X		N
<i>Special Purpose and Overlay Districts</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts			
PD (Planned Development) District	X		N
Trails	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

DEVELOPMENT STANDARDS

<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Street Width (Feet)</i>	<i>Compliance with Street Section</i>
<i>Farm Road: Secondary Collector</i>	Master Plan of Streets and Highways	80	Y

ANALYSIS

The applicant is requesting a Review of Condition Number 1 of a previously approved Variance (VAR-13245) to modify the requirement that all buildings in the development shall be protected by fire sprinkler systems. The requested modification would state that only Lots 22, 92, 98, 102, 135 and 136 would be required to be fire sprinkled. This would result in a 97 percent reduction to the remaining buildings required to provide fire sprinkler protection. As the previous developer has constructed 12 homes and the new developer only wants to meet the condition for six homes, this would leave 201 out of the original 219 single family lots lacking fire sprinkler protection.

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A Variance (VAR-13245) from the original Cliff's Edge Development Standards was previously approved to allow a two-foot side yard setback on all lots within the subject subdivision. Since this variance has been exercised, the applicant could build each lot with a two-foot side yard setback, even though the currently submitted plans do not reflect this situation.

FINDINGS

Condition of Approval Number 1 of Variance (VAR-13245) requires that all units shall be fire sprinkled and receive City of Las Vegas Fire and Rescue Department approval. Fire sprinklers are required, based on the narrow streets and street stubs, as well as an approved Variance (VAR-13245) that allows a side yard setback of two feet. Per the City of Las Vegas Fire and Rescue Department, the applicant "must be in full compliance with the approved civil drawings. All buildings shall be protected by fire sprinkler systems." Therefore, staff recommends denial.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 283

APPROVALS 0

PROTESTS 0