



RAH1005-001

September 7, 2010

City of Las Vegas
Planning and Development
731 S. Fourth St.
Las Vegas, NV 89101

SUBJECT: Justification Letter for a Variance and Review of Condition for Providence POD 113 (aka "Emerson")

Slater Hanifan Group, on behalf of the applicant, Richmond American Homes, respectfully submits this justification letter in support of a Variance application and a Review of Condition application for the subject development.

The Emerson development is fully constructed in terms of roadways, utilities, and walls. The site is ready for continued construction of homes. The Emerson development has a total of 219 lots of which 12 homes have been built by the previous developer. Richmond American Homes has rights to purchase the remaining 207 lots and proposes to use their housing product on these lots. The purpose of the variance request is to modify the setback criteria established in the Cliffs Edge Design Guidelines to accommodate the proposed product. Note that the latest edition of the Cliffs Edge Design Guidelines referenced in this application was adopted by the City of Las Vegas on August 5, 2009. The purpose of the review of condition is to modify Condition No.1 from VAR-13245 which was approved by City Council on July 12, 2006.

The Emerson development is Pod 113 of the Providence Master Planned Community (formerly known as Cliffs Edge Master Planned Community). The site is located at the southwest corner Farm Road and Hualapai Way. The site is approximately 20.9 acres. As mentioned above, the site was mapped for a total of 219 residential lots. The APNs for the 207 remaining lots are: 126-13-713-009 through -122 and 126-13-713-127 through -219.

RECEIVED

SEP 07 2010

City of Las Vegas

The land use for POD 113 in the approved master plan is Residential Small Lot (RSL). The development utilizes the "Mini Lot Cluster" design standards on the Court street fronting lots and "Mini Lot Conventional" design standards on the Neighborhood street fronting lots.

The variance being requested addresses three setback criteria. The first requests the modification of the garage face setback for the Cluster and Conventional Mini-Lot criteria. Both criteria state that the garage face be less than 5 feet or greater than 18 feet. This request is to allow the garage face setback to be less than *7 feet, or greater than 18 feet*. The additional front setback at the garage is needed for two reasons. The first reason is due to steep street slopes. The street slopes within this project are typically 3 percent to over 4 percent in the west to east direction. These steep streets are not conducive to short driveways. The additional depth allows the driveway slope to be below the Cliffs Edge Design Guidelines maximum of 14 percent. The second reason is that two of the four proposed house plans have second story overhangs that will impact the front setback which is tied to the second requested setback modification discussed below. Allowing the house to move back 2 feet improves the second story setback.

The second setback variance request is a modification to the setback for the second story living area. The Cliffs Edge Design Guidelines have a minimum of 8 feet to the second story livable area. This application requests to decrease the front second story setback to *3 feet for the full frontage of the house*. There are four floor plans proposed with the subject application. Only one of these floor plans (L16H) would utilize the 3-foot front setback. The other floor plans (L16J, L11E, & L14E) will have second story front setbacks varying from 5.5 feet to 14.5 feet. These staggered setbacks will create a varied street scene. Note the garage face setbacks will also vary depending on street slope and on floor plan.

The third setback variance request is a modification to the setback for the parcel property line for Lot 21 and Lot 103. The Cliffs Edge Design Guidelines have a minimum setback of 10 feet to the livable area. This application requests to decrease the parcel property line setback to *7 feet* for these two lots. There are four floor plans proposed with the subject application. On Lot 103, due to the irregular shape, only plan L11E will fit; and this plan will only fit with the requested setback variance to the rear parcel property line. Also, Lot 21 will have a greater variety of plan options with the requested setback variance.

One of the main concerns of the City and the residents with respect to driveways longer than 5 feet is the tendency for residents to park in the driveway leaving a significant vehicle overhang into the street. This is a problem for fire access and restricting access for the residents driving through the community. To address this issue, first the driveways are only 7 feet in a few isolated lots. Parking in the 7 feet driveways would have such a large overhang that residents would not typically do this because of the obvious traffic restriction. Second, there will be a tow service that will police the development and tow vehicles when they are parked improperly. This has been very successful for

mitigating parking issues in other similar communities. Finally, each of the proposed house plans provide a two car garage. With two car garages, homes in this square footage range are typically adequately parked at the home. Additional community parking is provided throughout the community for guests and for residents who need additional parking due to a bay (or two) in their garage being used as storage space.

Note that the Cliffs Edge Design Review Committee reviewed the subject setback requests and has issued an approval for each of them. The attached approval letter is included with this package.

These modifications to the setbacks will allow the project to move forward with Richmond American Home's product which allows a broad range of floor plan options and architectural variety considering the small lot designation.

The review of condition request is to modify Condition 1 from VAR-13245 which reads "All units shall be fire sprinkled and receive fire department approval." This request is to revise the condition to read "Lots 22, 92, 98, 102, 135, & 136 shall be fire sprinkled and receive fire department approval." The origin of this condition stems from VAR-13245 which requested a setback reduction to two feet for the six lots mentioned above. We agree that these six lots should require fire sprinklers due to the reduced setbacks, however the remaining lots will meet the Cliffs Edge prescribed setbacks including 5-foot side yards.

We feel the proposed revised condition is in line with the current adopted fire code. In any situation where the setback is below 5 feet, appropriate fire walls will be constructed to conform to the current adopted fire code.

Thank you for considering these modifications to code and conditions to allow us to move forward with the completion of this project.

Please contact me at 284-5300 if you have any questions regarding these applications.

Sincerely,

Slater Hanifan Group, Inc.



Todd Steadham, P.E.
Associate

CC
Christine Frazzitta, RAH
Matt Key, SHG
Chelsea Peltier, SHG