



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: MARCH 8, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: WOODSIDE HOMES OF NEVADA, INC. -

OWNER: WOODSIDE MADISON COLONY, LLC

** STAFF RECOMMENDATION(S) **

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
WVR-40764	Staff recommends APPROVAL, subject to conditions:	
TMP-40762	Staff recommends APPROVAL, subject to conditions:	WVR-40764

** CONDITIONS **

WVR-40764 CONDITIONS

Planning and Development

1. Approval of and conformance to the Conditions of Approval for Tentative Map (TMP-40762) shall be required, if approved.
2. Conformance to the approved conditions for Rezoning (ZON-1520).
3. This approval shall be void four (4) years from the date of final approval, unless a building permit has been issued for new construction. An Extension of Time may be filed for consideration by the City of Las Vegas.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

TMP-40762 CONDITIONS

Planning and Development

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of and conformance to the Conditions of Approval for Waiver (WVR-40764) shall be required, if approved.
3. All development shall conform to the Cliff's Edge Master Development Plan and Design Guidelines as approved by the Cliff's Edge (Providence) Design Review Committee and as amended herein.
4. Street names must be provided in accordance with the City's Street Naming Regulations.
5. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
6. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

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7. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

8. The private streets must be labeled on the Final Map for this site as Public Utility Easements (P.U.E.), City of Las Vegas Sewer Easements and Public Drainage Easements to be privately maintained by the Homeowner's Association.

9. A Homeowner's Association shall be established to maintain all perimeter walls, private roadways, landscaping and common areas created with this development. All landscaping shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

10. Prior to the release of a Final Map for recordation on this Site, the property owner must contact the Special Improvement District Section of the Department of Public Works (229-2136) and sign a notarized affidavit acknowledging and agreeing to a per lot assessment of all lots being created by this Final Map. The City shall prepare an apportionment report following recordation of the Final Map and this apportionment report must be signed by the property owner prior to the release of any building permits for this site.

11. Provide public sewer easements for all public sewers not located within existing public street right-of-way prior to the issuance of any permits as required by the Department of Public Works. Improvement Drawings submitted to the City for review shall not be approved for construction until all required public sewer easements necessary to connect this site to the existing public sewer system have been granted to the City.

12. The Final Map for this site shall properly identify the existing easements from Book/Page 141/34 and 138/23.

13. The submitted Drainage Plan and Technical Drainage Study must be approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the submittal of a Map subdividing this site, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

14. Site development to comply with all applicable conditions of approval for previous zoning actions, Cliff's Edge Parent Map, Cliff's Edge Development Standards, Design Guidelines and Development Agreement, and all other applicable site-related actions.

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15. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site contains 5.87 net acres of undeveloped land adjacent to the east side of Egan Crest Drive, approximately 600 feet south of Grand Teton Drive within the Cliff's Edge Master Plan area. The applicant has proposed a 50-lot single-family residential subdivision with private streets that connect to a previously recorded subdivision having access to Egan Crest Drive. The previously approved tentative map that included this site contained a total of 201 lots, of which 127 were legally platted. This map expired before the remaining 74 lots could be mapped and recorded. A new map covering this area is proposed that will slightly reduce overall density but will remain within RSL (Residential Small Lot) density requirements. Site development has been approved by the Cliff's Edge (Providence) Design Review Committee. The map meets all applicable Cliff's Edge Design Guidelines and all Title 18 requirements for tentative maps with the exception of an existing stub street in the northwest portion of the site, for which a waiver of Title 18 street design standards is required. Staff recommends approval of the waiver and accompanying tentative map with conditions. If the waiver request is denied, the Tentative Map will require substantial revisions to meet code requirements, and the area of the existing stub street will require substantial reconstruction.

ISSUES

- This area was part of a previously approved Tentative Map (TMP-18348) for a 201-lot single-family residential subdivision that was to record in four phases. This tentative map expired pursuant to Title 18 time limits prior to recordation of the fourth phase.
- Approval of a Waiver of Title 18.12.105 and 18.12.130 (WVR-40764) is required to allow a private street to terminate in a dead-end stub where a cul-de-sac is required prior to approval of a tentative map for this proposed subdivision. This stub has already been constructed but was never mapped as part of a previous subdivision. Staff can support the requested Waiver, as stub streets were allowed at the time the original subdivision went through the tentative map process and the subject stub was included in the previously approved Tentative Map (TMP-18348).

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/05/03	The City Council approved the Annexation (A-0035-02) of approximately 1,187 acres generally located adjacent to the southeast corner of Grand Teton Drive and Puli Road. The Planning Commission and staff recommended approval. The effective date of annexation was 02/14/03.

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04/16/03	The City Council approved a Rezoning (ZON-1520) from U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] to PD (Planned Development) and a Master Development Plan for the Cliff's Edge Development on 297.50 acres adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road. The Planning Commission and staff recommended approval.
01/11/07	The Planning Commission approved a Tentative Map (TMP-18348) for a 201-lot single-family residential subdivision on 17.90 acres adjacent to the east side of Egan Crest Drive, approximately 600 feet from Grand Teton Drive. Staff recommended approval. The map expired on 12/31/10, after final maps were recorded for the Models, Units 1 and 2, but before recordation of Unit 3.
09/28/07	A Final Map (FMP-22259) for a 17-lot single-family residential subdivision (Madison Colony at Providence – Models) on 2.27 acres adjacent to the east side of Egan Crest Drive, approximately 660 feet south of Grand Teton Drive was recorded.
09/28/07	A Final Map (FMP-22260) for a 54-lot single-family residential subdivision (Madison Colony at Providence Unit 1) on 4.55 acres approximately 660 feet south of Grand Teton Drive was recorded.
08/14/08	The Planning Commission approved an Extension of Time (EOT-28774) of a previously approved Tentative Map (TMP-18348) for a 201-lot single-family residential subdivision on 17.90 acres adjacent to the east side of Egan Crest Drive, approximately 600 feet from Grand Teton Drive. Staff recommended approval. The Tentative Map expired 12/31/10.
12/31/08	A Final Map (FMP-22262) for a 56-lot single-family residential subdivision (Madison Colony at Providence Unit 2) on 5.20 acres approximately 660 feet south of Grand Teton Drive was recorded.
05/07/09	Assembly Bill 74, adopted by the Nevada State Legislature, became effective. This law amended the existing procedures regarding filing of tentative and final maps, extending the time period a subdivider has to present a final map, or first of a series of final maps, to the planning authority from two years to four years after the approval of the tentative map, and also increasing the extension period after the initial deadline from one to two years.
01/18/11	A Final Map (FMP-40723) for a portion of a 56-lot single-family residential subdivision (Madison Colony at Providence Unit 2 Amended) on 1.76 acres adjacent to the east side of Egan Crest Drive, approximately 660 feet south of Grand Teton Drive, was submitted to the Planning and Development Department for Technical Review.

<i>Most Recent Change of Ownership</i>	
07/10/07	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
10/10/07	A building permit (98980) was issued for screening and retaining walls on individual lots within Providence Pod 105. A final inspection has not been approved.
	A building permit (98981) was issued for product walls on the perimeter of and within Providence Pod 105. A final inspection has not been completed.
01/14/08	A building permit (104961) was issued for an automatic vehicle access gate at 7781 Egan Crest Drive. A final inspection was approved on 03/18/08.
04/11/08	A building permit (105155) was issued for product walls within Providence Pod 105. A final inspection has not been completed.

<i>Pre-Application Meeting</i>	
01/13/11	A pre-application meeting was held, where requirements for submittal of a Waiver of Title 18 standards and a Tentative Map were discussed. Major issues discussed included the following: • A new tentative map is being requested because the Madison Colony Unit 3 final map did not record prior to the previously approved tentative map's expiration. • A Waiver of Title 18.12 is required to allow a stub street on Gibson Isle Drive where a cul-de-sac is required. The stub is already constructed but was never previously mapped as a stub. • Twenty-four fewer lots are proposed in this subdivision as compared to the original tentative map. The decrease in density will still conform to the RSL (Residential Small Lot) special land use category. • The applicant plans to submit an amended final map for Unit 2 that will reduce the number of lots within that subdivision. The applicant was informed that unless the existing recorded lots are shown on the Unit 3 Tentative Map, the tentative map application will not be placed on a Planning Commission agenda until such time as the amended Unit 2 map records.

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

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Field Check	
01/26/11	A field check of the site was conducted, where the following items were noted: • The site is undeveloped and contains intermittent patches of weeds throughout. • Portions of the site have been graded. • The proposed stub street at the west side of the site has already been constructed. • A community wall has been constructed along Egan Crest Drive adjacent to this site.

Details of Application Request	
Site Area	
Net Acres	5.87

Surrounding Property	Existing Land Use Per Title 19.04	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Undeveloped	RSL (Residential Small Lot)	PD (Planned Development)
North	Undeveloped	M (Medium Density Residential)	PD (Planned Development)
South	Single-Family Dwelling, Detached	ML (Medium-Low Density Residential)	PD (Planned Development)
East	Single-Family Dwelling, Detached	ML (Medium-Low Density Residential)	PD (Planned Development)
West	Single-Family Dwelling, Detached	L (Low Density Residential)	PD (Planned Development)

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

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DEVELOPMENT STANDARDS

Pursuant to the Cliff's Edge Design Guidelines, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	N/A	3,824 SF	N/A
Min. Lot Width	N/A	45 feet	N/A
Min. Setbacks			
Front (to living area/porch) – first story	8 feet to living area; 5 feet to porch	10 feet	Y
Front – second story+)	8 feet for up to 60% of wall plane; otherwise 12 feet; 5 feet for cantilevered balcony	8 feet for up to 60% of wall plane; otherwise 12 feet; 5 feet for cantilevered balcony	Y
Front (to garage face)	Less than 5 feet or greater than 18 feet	18+ feet	Y
Side	3 feet	3 feet	Y
Rear	7 feet for at least 50% of elevation width; otherwise 3 feet	7 feet for at least 50% of elevation width; otherwise 3 feet	Y
Parcel Property Line	10 feet	10 feet	Y
Max Height	35 feet/3 stories	22 feet/2 stories	Y
Min. Common Open Space (overall development pod – 177 lots)	13,850 SF	22,681 SF	Y

Street Name	Functional Classification of Street(s)	Governing Document	Street Width (Feet)	Compliance with Street Section
<i>Egan Crest Drive</i>	Secondary Collector	Master Plan of Streets and Highways	70	N

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Pursuant to Title 19.04 and 19.10, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family Dwelling, Detached	50 units	2 spaces/unit	100				
Guest Parking	50 units	0.2 spaces/unit	10				
TOTAL SPACES REQUIRED			110		110		Y
Regular and Handicap Spaces Required			110	0	110	0	Y

Waivers		
Requirement	Request	Staff Recommendation
<u>LVMC 18.12.105 and 130</u> – Private streets shall terminate in culs-de-sac. No street shall be permitted that would create the potential for a dead-end stub.	Dead-end stub termination of one street (Gibson Isle Drive)	Approval

ANALYSIS

Development standards are dictated by the Cliff's Edge Design Guidelines that were established at the time of the site's rezoning to PD (Planned Development). The design of streets, lots, buildings and structures, including walls, are reviewed for compliance with these standards by the Providence Design Review Committee prior to submittal to the city of Las Vegas. The proposed Tentative Map was approved by the Providence Design Review Committee with no waivers of the Design Guidelines.

The Cliff's Edge Master Development Plan designates this acreage as RSL (Low Density Residential), which allows up to 15 dwelling units per acre. Twenty-four fewer lots are proposed over the same acreage as in the previously approved Tentative Map (TMP-5552) on this site. Density will decrease as a result, keeping the overall development pod well below the maximum required density.

Egan Crest Drive adjacent to the site is fully improved and dedicated. No trails or other overlay districts coincide with the site.

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The proposed lots range in size from 3,824 square feet to 6,640 square feet. Site access is provided from either of two private streets located within previously recorded subdivisions. Those streets are accessed from Egan Crest Drive. Site circulation is provided by 39-foot wide private streets with no sidewalks. Gibson Isle Drive terminates in a dead-end stub that has already been constructed but was not mapped as part of any previously recorded final map. A Waiver of Title 19.12 is required to allow this street design. This stub functions as a driveway that will serve two lots. It should not pose a hazard for emergency, utility and refuse vehicle access. Although staff does not generally support a waiver of design standards, development Standards in effect at the time of adoption of the Cliff’s Edge Master Plan allowed stub streets, and their use is common within the overall community. In light of these circumstances, the waiver request can be supported.

An existing community wall is located along the west side of Egan Crest Drive and has been constructed in conformance with Exhibit ‘A’ of Section 6 of the Cliff’s Edge Design Guidelines. All other perimeter and interior walls are product walls and will conform to the Cliff’s Edge Design Guidelines. The site naturally slopes approximately four percent from west to east and two percent from south to north.

As the proposed tentative map conforms to the Cliff’s Edge Master Development Plan for density, conforms to the Design Guidelines for product compliance, and staff can support the request for a waiver of Title 18 subdivision design standards, staff recommends approval of the request with conditions.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 18

NOTICES MAILED 356 (WVR only)

APPROVALS 0

PROTESTS 0