



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: SEPTEMBER 10, 2013

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: D R HORTON, LLC

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
ROC-50451	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

ROC-50451 CONDITIONS

Planning

1. Conformance to the conditions for approval for Site Development Plan Review (SDR-27226), except as amended herein.

Public Works

- 2.A Drainage Study update must be submitted to and approved by the Department of Public Works prior to issuance of any building permits for residential units in Phase 3. The update must address how the residential units in Phase 3 and the surrounding neighborhood will be protected from a significant storm event in the interim between Phase 3 and Phase 4. No building permits shall be issued for any residential unit within Phase 3 unless adequate flood control mitigation is demonstrated through the approved Drainage Study Update and appropriate revised plans. Provide and improve all drainageways recommended in the approved drainage study update.

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3. Condition #18 of SDR-27226 is hereby amended to read: Construct half-street improvements including appropriate overpaving on Grand Teton Drive, Tenaya Way, and Whispering Sands Drive adjacent to this site concurrent with associated on-site development activities. Phased construction of required half-street improvements shall be allowed in accordance with the phasing plan date stamped 7/24/2013 and each phase shall be considered a "site" for the purposes of Condition #19, below. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Improvements within Phase 4, including the proposed trail, shall be constructed within 90 days of completion of the City's Grand Teton Storm Drain project, or notification from the City of Las Vegas in writing that the applicant must commence with the installation of Phase 4 improvements. Some improvements in Phase 4 may be required to be constructed in Phase 3 if so specified in the approved Drainage Study Update.
4. Condition #19 of SDR-27266 is hereby amended to read: A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this site. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, except for Phase 4 improvements, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this site. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed in accordance with Title 19.02.130 with the exception of phase 4 for which no building permits are proposed. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Review of Condition of a previously approved Site Development Plan Review (SDR-27226) to amend condition # 18 that states, “Construct half-street improvements on Tenaya Way, Grand Teton Drive and Whispering Sands Drive adjacent to this site” and condition #19 that states, “A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site and a working sanitary sewer shall be constructed” on 38.60 acres on the southwest corner of Grand Teton Drive and Tenaya Way.

The applicant is requesting to modify the phasing map to show phase #4 of the development being the improvements within Grand Teton Drive including the trail along Grand Teton Drive to delay the installation of improvements along Grand Teton Drive as the City of Las Vegas is installing a large drainage facility and prevent the unnecessary removal of brand new street improvements during the City of Las Vegas construction of the box culvert. The applicant has agreed to do the installation of the improvements but requests that they be delayed as any new improvements would be removed by the City, thus extending an inconvenience to the citizens in the nearby neighborhoods. The applicant is also requesting that all required improvements shall be constructed within 90 days of the completion of the City of Las Vegas box culvert. Staff therefore recommends approval of this application, as it is meant to allow the time frame of construction interference on Grand Teton Drive to be kept to a minimum adjacent to this site.

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.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
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.
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 on 36.57 acres on the subject site. Staff recommended approval. The Map approval expired 05/08/12
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.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
04/28/10	A Code Enforcement case (#89976) 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 06/03/10.
05/27/10	The Planning Commission approved a request for an Extension of Time (EOT-37908) to Site Development Plan Review (SDR-27226) for a 100-lot single family residential development with access on Whispering Sands Drive on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way. Staff recommended approval.
08/09/11	A Code Enforcement case (#104538) 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 09/13/11.
06/12/12	The Planning Commission approved a request for an Extension of Time (EOT-45057) to Site Development Plan Review (SDR-27226) for a 100-lot single family residential development with access on Whispering Sands Drive on 40.16 acres on the southwest corner of Grand Teton Drive and Tenaya Way. Staff recommended approval.
10/15/12	The Department of Planning approved a Final Map Technical Review (FMP-47181) for a 31-lot single family residential subdivision (The Orchards at Grand Teton & Tenaya Unit #1. The map was recorded on 02/15/13.
01/28/13	The Department of Planning approved a Final Map Technical Review (FMP-47187) for an 18-lot single family residential subdivision (The Orchards at Grand Teton & Tenaya Unit #2. The map was recorded on 06/26/13.
01/28/13	The Department of Planning approved a Final Map Technical Review (FMP-47188) for a 51-lot single family residential subdivision (The Orchards at Grand Teton & Tenaya Unit #3. The map was recorded on 06/26/13.

<i>Most Recent Change of Ownership</i>	
01/08/13	A deed was recorded for a change in ownership.

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<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). The permits expired on 10/12/11.
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. The permits expired on 10/12/11.
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.
05/08/13	A building permit (#235461) was issued for early grading at The Orchards at Grand Teton & Tenaya Unit's 1, 2 and 3. The permit has not been finalized.

<i>Pre-Application Meeting</i>	
07/11/13	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Review of Condition to amend Conditions #18 and #19 of Site Development Plan Review (SDR-27226).

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

<i>Field Check</i>	
08/01/13	Staff conducted a field check of the subject site and found heavy equipment and grading in process.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	38.60

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</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)

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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	RN (Rural Neighborhood)	R-A (Residential Agricultural – Clark County)
West	Public School, Secondary	PF (Public Facilities)	C-V (Civic)

<i>Master Plan Areas</i>	<i>Compliance</i>
No Applicable Master Plan Area	N/A
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
R-PD (Residential Planned Development) District	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Multi-Use Non-Equestrian Trail)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

ANALYSIS

The applicant is requesting a Review of Condition of a previously approved Site Development Plan Review (SDR-27226) to amend condition #18 that states, “Construct half-street improvements on Tenaya Way, Grand Teton Drive and Whispering Sands Drive adjacent to this site” and condition #19 that states, “A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site and a working sanitary sewer shall be constructed” on the southwest corner of Grand Teton Drive and Tenaya Way. The applicant is requesting to amend these conditions as the City of Las Vegas is installing the Grand Teton Drive box culvert.

The Department of Public Works has reviewed the request to modify Condition #18 and #19 of the Site Development Plan Review (SDR-27226).

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The original condition of #18 is as follows:

Construct half-street improvements including appropriate over paving on Tenaya Way and all incomplete improvements on Grand Teton Drive and Whispering Sands Drive adjacent to this site concurrent with development of this site. Phased construction of required half-street improvements shall be allowed in accordance with the phasing plan submitted 09/16/08, excepting 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” for the purposes of Condition #19, below. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.

The Public Works Department is recommending the following change:

Construct half-street improvements including appropriate overpaving on Grand Teton Drive, Tenaya Way, and Whispering Sands Drive adjacent to this site concurrent with associated on-site development activities. Phased construction of required half-street improvements shall be allowed in accordance with the phasing plan date stamped 7/24/2013 and each phase shall be considered a “site” for the purposes of Condition #19, below. Extend all required underground utilities, such as electrical, telephone, traffic signal system, etc., located within public rights-of-way, prior to construction of hard surfacing (asphalt or concrete). All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Improvements within Phase 4, including the proposed trail, shall be constructed within 90 days of completion of the City’s Grand Teton Storm Drain project, or notification from the City of Las Vegas in writing that the applicant must commence with the installation of Phase 4 improvements. Some improvements in Phase 4 may be required to be constructed in Phase 3 if so specified in the approved Drainage Study Update.

The original condition of #19 is as follows:

A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed within 24 months of approval of construction drawings. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

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The Public Works Department is recommending the following change:

A minimum of two lanes of asphalt pavement on the major access street(s) adjacent to this site, and a working sanitary sewer connection shall be in place prior to final inspection of any units within this site. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, except for Phase 4 improvements, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this site. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed in accordance with Title 19.02.130 with the exception of phase 4 for which no building permits are proposed. No partial bond releases will be allowed until all perimeter roadway improvements are in place.

FINDINGS

Based on the work that the City of Las Vegas is doing, it is recommended that conditions #18 and #19 be modified to time improvements with the City of Las Vegas work. The removal of Condition #18 and #19 from Site Development Plan Review (SDR-27226) and the replacement with the new updated conditions is considered appropriate.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 117

APPROVALS 0

PROTESTS 0