



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: NOVEMBER 12, 2013

DEPARTMENT: PLANNING

**ITEM DESCRIPTION: APPLICANT: RYLAND HOMES NEVADA, LLC - OWNER:
DEER SPRINGS WAY TRUST, ET AL**

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
TMP-50852	Staff recommends DENIAL.	
VAC-50851	Staff recommends DENIAL, if approved subject to conditions:	

**** CONDITIONS ****

VAC-50851 CONDITIONS

- 1.The limits of this Petition of Vacation shall be the U.S. Government Patent Easements generally located south of Deer Springs Way, approximately 1,010 feet east of Hualapai Way.
- 2.A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the recordation of the Order of Vacation for this application. Appropriate drainage easements shall be reserved if recommended by the approved Drainage Plan/Study. The drainage study required by TMP-50852 may be used to satisfy this requirement provided that it addresses the area to be vacated.
- 3.Provide written documentation from the Las Vegas Valley Water District that perpetual legal access to Assessor's Parcel Number 125-19-301-014 is provided through an alternate means other than Conquistador Avenue prior to recordation of a Relinquishment of Interest for this site.

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4. The Order of Relinquishment of Interest shall not be recorded until all of the conditions of approval have been met provided, however, the conditions requiring modification of public improvements may be fulfilled for purposes of recordation by providing sufficient security for the performance thereof in accordance with the Subdivision Ordinance of the City of Las Vegas. City Staff is empowered to modify this application if necessary because of technical concerns or because of other related review actions as long as current City right-of-way requirements are still complied with and the intent of the vacation application is not changed. If applicable, a five foot wide easement for public streetlight and fire hydrant purposes shall be retained on all vacation actions abutting public street corridors that will remain dedicated and available for public use. Also, if applicable and where needed, public easement corridors and sight visibility or other easements that would/should cross any right-of-way being vacated must be retained.

TMP-50852 CONDITIONS

Planning

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. Street names must be provided in accordance with the City's Street Naming and Addressing Regulations.
3. 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.
4. 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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5.All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

- 6.Petition of Vacation VAC-50851 shall record prior to the recordation of a Final Map for this site.
- 7.Dedicate 40 feet of right-of-way adjacent to this site for Deer Springs Way and 30 feet for the westerly street (AKA Wasatch Hills Street) concurrent with the recordation of a Final Map for this site. Additionally, obtain a 30-foot dedication or roadway easement for the west half of the westerly street (AKA Wasatch Hills Street) on Assessor's Parcel #125-19-301-003 concurrent with the recordation of a Final Map for this site.
- 8.Construct half-street improvements including appropriate overpaving and pavement transitions, where legally able, on Deer Springs Way and the westerly street (AKA Wasatch Hills Street) adjacent to this site concurrent with development of this site. 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.
- 9.Landscape and maintain all unimproved rights-of-way, if any, adjacent to this site. All landscaping and private improvements installed with this project 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. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for this Site Plan Prior to submittal of construction drawings for this site.
11. All private improvements and landscaping installed with this project 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.
12. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, 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.

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13. 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 requested Tentative Map for Bristle Falls consists of a 62-lot single family residential subdivision on 7.97 acres located adjacent to the south side of Deer Springs Way, approximately 1,010 feet east of Hualapai Way. This map is accompanied by a Vacation request (VAC-50851) to vacate U.S. Government Patent Easements for future public rights-of-way.

The development of this parcel as presented is not compatible with the surrounding area. The adjacent parcel to the west of the subject site is a part of the Providence Square Master Development Plan, which has designated the site for commercial uses. The requested Tentative Map proposes a shared right-of-way with this future commercial development to the west. Furthermore, the Tentative Map proposes 19 lots to directly front the future commercial development with no mitigation. As such staff cannot support this request for a 62-lot single family residential subdivision, nor can staff support the accompanied Vacation request which will create a landlocked parcel to the east. If denied, the site will remain undeveloped.

ISSUES

- Staff is reviewing an Administrative Deviation (DVN-50854) to allow a connectivity ratio of 1.25 where 1.30 is the minimum required.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
02/07/07	The City Council approved a Petition to Annex (ANX-12215) 207.83 acres generally located north of Centennial Parkway between Shaumber Road and Fort Apache Road. The Planning Commission and staff recommended approval. The Annexation became effective 02/16/07.
06/06/07	The City Council approved a General Plan Amendment (GPA-20465) from R (Rural Density Residential) to PCD (Planned Community Development) on 23.3 acres south of Deer Springs Way, east of Hualapai Way. The Planning Commission and staff recommended denial.

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04/16/08	The City Council approved a Rezoning (ZON-25758) from U (Undeveloped) [PCD (Planned Community Development) General Plan designation] to PD (Planned Development) on 23.62 acres south of Deer Springs Way, east of Hualapai Way, including the Providence Square Master Development Plan and Design Standards. The Planning Commission recommended approval; staff recommended denial.
	The City Council approved a Petition to Vacate (VAC-25759) U.S. Government Patent Easements east of Hualapai Way, south of Deer Springs Way. The Planning Commission and staff recommended approval. The approval expired 04/17/11.
	The City Council approved a Site Development Plan Review (SDR-25760) for a proposed 205,000 square-foot commercial development on 23.62 acres at the southwest corner of Hualapai Way and Deer Springs Way. The Planning Commission recommended approval; staff recommended denial. The approval expired 04/16/12.
08/06/08	The City Council approved a Petition to Vacate (VAC-28087) U.S. Government Patent Easements east of Hualapai Way, south of Deer Springs Way. The Planning Commission and staff recommended approval. The approval expired 08/07/11.
09/18/13	The City Council will hear a request for a General Plan Amendment (GPA-49489) from PCD (Planned Community Development) to ML (Medium Low Density Residential) on 7.97 acres on the south side of Deer Springs Way, approximately 1,050 feet east of Hualapai Way. The Planning Commission recommended approval; staff recommended denial.
	The City Council will hear a request for a Rezoning (ZON-49494) from PD (Planned Development) to R-CL (Single Family Compact-Lot) on 7.97 acres on the south side of Deer Springs Way, approximately 1,050 feet east of Hualapai Way. The Planning Commission recommended approval; staff recommended denial.
10/08/13	A request for a Tentative Map (TMP-50852) for a 62-lot single-family residential subdivision on 7.97 acres located adjacent to the south side of Deer Springs Way, approximately 1,010 feet east of Hualapai Way was held in abeyance at the applicant's request. The application will be heard at the 11/12/13 Planning Commission meeting.
10/08/13	A Vacation request (VAC-50851) to vacate U.S. Government Patent Easements for future public rights-of-way associated with the Tentative Map (TMP-50852) was held in abeyance at the applicant's request. The application will be heard at the 11/12/13 Planning Commission meeting.

<i>Most Recent Change of Ownership</i>	
04/30/12	A deed was recorded for a change in ownership.
05/18/12	A deed was recorded for a change in ownership.

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<i>Related Building Permits/Business Licenses</i>	
There are no related business licenses or building permits for development on the subject site.	

<i>Pre-Application Meeting</i>	
07/29/13	Staff met with the applicant and reviewed the options available to develop a 62-lot single family residential development at this location. The submittal requirements for a Tentative Map and Vacation were discussed. Also, it was determined that either a Variance or Administrative Deviation was required for the connectivity ratio of 1.25 where 1.30 is required.

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

<i>Field Check</i>	
08/29/13	The site is undeveloped and contains rocky soil and desert vegetation. A drainage channel has been constructed along the southern edge of the site adjacent to the Las Vegas Beltway. An existing asphalt path (not part of the municipal trail system) runs along the north perimeter of the site adjacent to Deer Springs Way.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	7.97

<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	PCD (Planned Community Development)	PD (Planned Development)
North	Undeveloped	RNP (Rural Neighborhood Development)	R-D (Suburban Estates Residential) – Clark County
South	CC 215	ROW (Right-of-Way)	ROW (Right-of-Way)
East	Undeveloped	PF (Public Facilities)	U (Undeveloped)
		R (Rural Density Residential)	C-V (Civic)

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	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>	
Surrounding Property		Undeveloped	PCD (Planned Community Development)	PD (Planned Development)
		CC 215	R (Rural Density Residential)	R-E (Rural Estates Residential) – Clark County

<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>
Interlocal Planning Area	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.06, the following standards apply:

<i>Standard</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Min. Lot Size	3,000 SF	3,318 SF	Y
Min. Lot Width	35 Feet	35 Feet	Y
Min. Setbacks			
• Front (to dwelling)	14 Feet	14 Feet	Y
• Front (to garage face)	18 Feet	18 Feet	Y
• Side	10 Feet (Combined)	10 Feet	Y
• Corner	10 Feet	10 Feet	Y
• Rear	10 Feet	10 Feet	Y
Max. Lot Coverage	70 %	70 %	Y
Max. Building Height	2 Stories/35 Feet	2 Stories/ 29 Feet	Y

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Deer Springs Way	Major Collector	Master Plan of Streets and Highway Map	30	N

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19.04.040 Connectivity		
Transportation Network Element	# Links	# Nodes
Internal Street	5	0
Intersection – Internal	0	4
Cul-de-sac Terminus	0	0
Intersection – External Street or Stub Terminus	0	0
Intersection – Stub Terminus w/ Temporary Turn Around Easements	0	0
Non-Vehicular Path - Unrestricted	0	0
Total	5	4
	Required	Provided
Connectivity Ratio (Links / Nodes):	1.30	1.25

Pursuant to Title 19.08 and 19.12, 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 Detached	62	2 Spaces per Unit	124				
TOTAL SPACES REQUIRED			124		124		Y
Regular and Handicap Spaces Required			124	N/A	124	N/A	Y

ANALYSIS

The subject site is located adjacent to the south side of Deer Springs Way, approximately 1,010 feet east of Hualapai Way. The proposed Tentative Map for a 62-lot single-family subdivision covers a 7.97 acre site with a land use designation of ML (Medium Low Density Residential) and a zoning designation of R-CL (Single Family Compact-Lot). This General Plan designation generally permits single-family detached homes, including compact lots and zero lot lines, mobile home parks and two-family dwellings at up to 8.49 units per acre.

The submitted plans show 62 single-family detached homes with a density of 7.8 units per acre. There are six floor plans for this project. These plans range from 2,192 square feet up to 2,573 square feet. All six plans are two stories with street facing two-car garages. As proposed, 19 of the 62 single-family residential lots have been designed to face west, towards an undeveloped parcel planned for future commercial development. In fact, the 19 lots will share right-of-way with the future commercial development. As such, the development of this parcel as presented is not compatible with the surrounding area.

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The Clark County School District has submitted a School Development Tracking Form. The document indicates that the proposed residential project will add twelve students to nearby Bozarth Elementary School and eight students to nearby Centennial High School. Currently, both schools have an enrollment exceeding capacity. The school district has no new schools planned for the area.

The connectivity ratio of 1.25 is below the standard of 1.30, as outlined by Title 19.04.040. Connectivity is a measure of how efficiently a transportation network provides access between internal and external destinations. A well-connected street system has minimal dead-ends (cul-de-sacs). As connectivity increases, travel distances decrease and route options increase, allowing more direct travel between destinations. A higher connectivity ratio creates a transportation system that is more accessible, especially for pedestrians and bicyclists. A Variance is normally required to deviate from the 1.30 minimum requirement, however Title

19.04.040(B)(2)(a), allows the connectivity ratio to be reduced through the submittal of an Administrative Deviation application, with the advisement of the Director of Public Works. The Department of Public Works is supporting the Administrative Deviation. As such, an associated application for an Administrative Deviation (DVN-50854) has been requested to allow the 1.25 connectivity ratio where 1.30 is the minimum required.

The submitted cross sections illustrate a slope greater than 2%, which requires retaining walls for any type of development. The applicant is proposing perimeter and retaining walls in compliance with Title 19.06. The combination of perimeter walls and retaining walls will not exceed 12 feet in areas with a slope greater than 2%.

The proposed subdivision is accessed from Deer Springs Way and Wasatch Hill Street. Internal access to the residential lots will be provided via a 47-foot wide public street with "L" curbs, as well as five-foot sidewalks located on either side of the street. An associated Vacation (VAC-50851) has been requested to vacate U.S. Government Patent Easements for the future public right-of-way. Staff cannot support the vacation request as it will create a landlocked parcel adjacent to the east. The Public Works Department has provided the following comments:

The submitted east/west cross sections depict maximum natural grade greater than 2% across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope greater than 2%, is allowed a maximum 6-foot retaining wall. Two 6 foot retaining walls are shown in the east/west cross section one of the retaining walls is interior to the subdivision the other is on east property line boundary.

The submitted north/south cross section depicts maximum natural grade greater than 2% across this site. Per the Tables in Subdivision Code 19.06.050 a development with natural slope greater than 2%, is allowed a maximum 6-foot retaining wall. Several retaining walls are shown in the north/south cross section, but none exceed 6-feet in height.

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The applicant is proposing to construct a 62-lot residential subdivision and is proposing to vacate U.S. Government Patent Easements as well (VAC 50851). We note that this Tentative Map is also related to an Administrative Deviation (DVN-50854) to allow a 1.25 connectivity ratio where 1.3 is required. Public Works has no objections to DVN-50854; however we do object to VAC 50851 and have written a separate memorandum to address our objects to the proposed Vacation.

The combined action of this Tentative Map and the proposed Vacation will result in Assessor's Parcel #125-19-301-014 becoming a landlocked parcel. The parcel is currently owned by the Las Vegas Valley Water District. The Department of Public Works would like a guarantee that Assessor's Parcel #125-19-301-014 has a perpetual access right to a public roadway. Without this guarantee, the Department of Public Works recommends DENIAL of this application.

If approved Public Works recommends that this item go on to City Council as the implications of approving this overall project is the creation of a landlocked parcel.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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NOTICES MAILED 56 (TMP)
6 (VAC)

APPROVALS 0

PROTESTS 2