

11/21/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

HAPPY VALLEY AVE/ALOHA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0677-LAMPH MATTHEW K & PALADINO BERNARD & MARY BETH:

ZONE CHANGE to reclassify 4.8 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; and **2)** allow reduced street landscaping and attached sidewalk.

DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade.

Generally located on the north side of Happy Valley Avenue, approximately 300 feet west of Aloha Avenue within Sunrise Manor (description on file). TS/rr/syp (For possible action)

RELATED INFORMATION:

APN:

161-08-710-019; 161-08-710-023 through 161-08-710-024

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase retaining wall height to 5.5 feet where 3 feet is the maximum allowed per Section 30.64.050 (an 83% increase).
2.
 - a. Allow 6 feet of landscaping and an attached sidewalk along Happy Valley Avenue where landscaping and a detached sidewalk is required per Figure 30.64-17.
 - b. Eliminate landscaping and allow an attached sidewalk along Woodland Avenue where landscaping and a detached sidewalk is required per Figure 30.64-17.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 66.7% increase).

PROPOSED LAND USE PLAN:

SUNRISE MANOR - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 4.8
- Number of Lots/Units: 24
- Density (du/ac): 5
- Minimum/Maximum Lot Size (square feet): 5,255/13,342
- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 2,032 (minimum)/2,478 (maximum)

Site Plans

The plans depict a proposed 24 lot single family residential subdivision with 2 common lots on approximately 4.8 acres. Overall density is 5 dwellings per acre. The applicant is proposing 3 different house plans with options within each plan. All homes are single story and range from 2,032 square feet to 2,478 square feet. Two private streets within the proposed subdivision are 43 feet in width with 4 foot wide sidewalks on 1 side. Access to the subdivision is shown from Woodland Avenue to the north. The project also abuts Happy Valley Avenue to the south.

Landscaping

The plans depict landscaping within a portion of common element "A", and also within a 6 foot wide strip of land along the north side of Happy Valley Avenue. Landscaping is proposed to consist of 10 large trees planted 30 feet on center, and 17, five gallon shrubs with decorative rock. No landscaping is shown along Woodland Avenue. Attached 5 foot wide sidewalks are proposed along both streets. A retaining wall up to 5.5 feet high is located along the east property line.

Elevations

The plans depict 3 different styles of homes, which are all 1 story and 18 feet in height. All homes will use stucco finish, tile roofs, stone, and feature other architectural enhancements such as window articulation, decorative iron, and decorative stone veneer accents.

Floor Plans

The plans depict 3 home models which range from 2 to 4 bedrooms with 2 car garages with an option for a 3 car garage, bedrooms, great room and dining area, kitchen and pantry, and utility rooms. All homes range from 2,032 square feet to 2,478 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed R-1 zoning classification appears more compatible with the surrounding area, including the existing R-1 development north of the project site. The zone change from R-E to R-1 will not adversely affect the surrounding property. Development of this in-fill parcel is compatible and harmonious with adjacent uses as there is an existing single family residential community encompassing the area around the project site. The requested design review for increased finished grade as well as the waiver for increased retaining wall

height will allow for drainage to maintain its historic patterns, and will eliminate a low point below the current existing off-site street grades. The waivers to allow attached sidewalks along Woodland Avenue and Happy Valley Avenue are requested to match existing nearby development. The request to waive the landscape buffer along Woodland Avenue is because the homes fronting on the street will have landscaping in their front yards and the reduced landscape buffer along Happy Valley Avenue is to maintain consistency with the surrounding development pattern.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0207-08	Reclassified 7.9 acres from R-E to R-2 zoning for a residential development	Denied by BCC	May 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E & R-1	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential & place of worship
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential

Related Applications

Application Number	Request
PA-23-700033	A plan amendment to redesignate the land use category from RN (Ranch Estate Neighborhood) to LN (Low Intensity Suburban Neighborhood) is a companion item on this agenda.
TM-23-500137	A tentative map for 24 single family lots and 2 common lots is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Zone Change

The proposed zone change to R-1 requires approval of a concurrent amendment to redesignate the subject site from RN (Ranch Estate Neighborhood) to LN (Low-Intensity Suburban Neighborhood) so that the requested zone change may be in conformance to the Master Plan.

The proposed development is adjacent to a single family residential area located on the north side of Woodland Avenue which is zoned R-1 and designated MN (Mid-Intensity Suburban Neighborhood). Additionally, there are higher density R-2 and R-3 zoned areas with a mix of attached and detached single family residences and multiple family generally located to the east and north. To the west, south, and east are R-E zoned properties designated RN (Ranch Estate Neighborhood) with existing homes on .5 acre to 2 acre parcels as well as 3 places of worship located along Happy Valley Avenue. The zone change to R-1 would provide a transition from the higher density residential areas on the north and east to the low density single family areas on the west and south. The R-1 zone will be consistent with the Master Plan Policy SM-1.1 for Sunrise Manor which encourages targeted in-fill that supports varied housing options (type, density, and price point) that allow residents to remain in the neighborhood regardless of age, family structure, or income. Master Plan Policy SM-1.4 also encourages in-fill development within Ranch Estate Neighborhoods in accordance with compatibility considerations contained in the Neighborhood Land Use Category definitions. Therefore, staff can support the zone change request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The waiver for increased retaining wall height to 5.3 feet along the eastern property line will allow for the site design to maintain its historic drainage patterns and eliminate low points below the current existing off-site street grades. It does not appear that the increased wall height will negatively impact the adjacent properties as the residence and place of worship are located far to the east away from the wall. Both properties currently have block walls along their property lines; therefore, staff can support this request. However, because there is a recommendation for denial of waivers #2a and #2b, staff recommends denial of this request.

Waiver of Development Standards #2a and #2b

Waivers are requested to allow attached sidewalks along Woodland Avenue and Happy Valley Avenue rather than detached sidewalks as required. Additionally, waivers are requested to reduce the 15 foot wide landscape buffer to 6 feet along Happy Valley Avenue and to eliminate the street landscape altogether on Woodland Avenue.

In the case of Woodland Avenue, the north side of the street as well as the south side of the street east of the proposed development includes attached sidewalks. Attached sidewalks are also present along Happy Valley Avenue adjacent to 2 places of worship to the east and west of the proposed development as well as along both sides of Aloha Avenue. The request to allow attached sidewalks, therefore, appears to be consistent with the infrastructure development pattern within the neighborhood. Therefore, to maintain continuity with the area, staff can support the request for attached sidewalks.

The request to eliminate the landscape buffer along the Woodland Avenue frontage is because 6 lots are proposed to front on the street. The applicant states that there will be landscaping in the front yards. However, staff notes this will be the responsibility of the future homeowner and is not guaranteed to occur and trees in the front yard do not provide shade along sidewalks and streets. Along Happy Valley Avenue, the request to reduce the width of the landscape buffer appears to be a self-imposed burden as a minor redesign of the subdivision and lot sizes would appear to allow for a full-width landscape buffer of 15 feet. However, staff could support the proposed 6 foot wide landscape area as shown on the plans. Therefore, staff recommends approval of the 6 foot wide landscape area along Happy Valley Avenue and denial of the request to eliminate landscaping along Woodland Avenue.

Design Review #1

The architectural design of the residences is consistent with the existing single family homes in the area and is similar in density to the single family immediately north of Woodland Avenue. The elevations provided indicate that the development will consist of 1 story homes up to 18 feet in height which is also consistent with the development pattern to the north, as well as the low-density areas to the south and west. Overall, the design appears to be in accordance with the requirements of Title 30, however, because staff is recommending denial of the waivers of development standards, the design review is also recommended for denial.

Public Works - Development Review

Design Review #2

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation

Approval of the zone change, waiver of development standards #2a, and design review #2; denial of waiver of development standards #2b and design review #1. This item will be forwarded to the Board of County Commissioners' meeting for final action on December 20, 2023, at 9:00 a.m., unless otherwise announced.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Full off-site improvements.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 161-08-710-024; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0262-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - no recommendation.

APPROVALS:

PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC

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