

08/18/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

VALLEY VIEW BLVD/FRIAS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0371-CFT LANDS, LLC:

ZONE CHANGE to reclassify 21.0 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase retaining wall height; **2)** off-site improvements (curb, gutter, streetlights, sidewalk, and partial paving); and **3)** street configuration.

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

Generally located on the east side of Valley View Boulevard and the north side Frias Avenue within Enterprise (description on file). JJ/sd/jd (For possible action)

RELATED INFORMATION:

APN:

177-29-301-002; 177-29-301-033 and 177-29-301-034

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase combination of screen and retaining wall height to 10 feet, 8 inches (6 foot, 8 inches screen wall retaining wall) where a maximum of 9 feet (6 foot screen wall and 3 foot retaining) is permitted per Section 30.64.050 (a 11% increase).
2. Waive full off-site improvements (streetlights, sidewalk, curb, gutter, and partial pavement) along Pyle Avenue, Polaris Avenue, Frias Avenue, Valley View Boulevard, and Haleh Avenue where required per Chapter 30.52.
3. Reduce street intersection off-sets to a minimum of 109 feet where a minimum of 125 feet is required per Section 30.32.052 (a 13% reduction).

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 60 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 21
- Number of Lots/Units: 109
- Density (du/ac): 5.2
- Minimum/Maximum Lot Size (square feet): 4,273/8,891
- Project Type: Single family residential
- Number of Stories: 1, 2, and 3
- Building Height (feet): 17 (1 story)/27 (2 story)/35 (3 story)
- Square Feet: 3,103 (minimum)/5,461 (maximum)

Site Plans

The plans depict a proposed 109 lot single family residential subdivision with 11 common lots on approximately 21 acres. Overall density is 5.2 dwelling units per acre. The size of each model ranges from 3,103 square feet to 5,461 square feet and the applicant will offer 8 different home plans. Private streets within the proposed subdivision are 42 feet in width. The applicant is proposing 8 separate house plans, with 6 of the models being 2 stories tall while the remaining 2 plans are 3 stories tall. The project will be surrounded by existing rights-of-way and developments that currently conform to rural standards. Access to the subdivision is shown from Haleh Avenue and Pyle Avenue and connect to various private streets.

Landscaping

The plans depict landscaping in areas within the subdivision and common elements. Landscaping includes 24 inch box trees, 5 gallon shrubs planted 4 feet on center, rock mulch, and groundcover. Landscaping is shown along the streets of Haleh Avenue, Pyle Avenue, and along the entrances to the subdivision for each private street.

Elevations

The plans depict 3 different styles of homes from 1 story to 3 stories. All homes will use stucco finish, concrete tile roof, masonry veneer and other architectural enhancements and all have pitched rooflines with a 2 to 3 car garage.

Floor Plans

The plans depict floor plans of each style of home and range from 3 to 4 bedrooms, 2 to 3 car garages along with owner's suite, gathering room, kitchen and pantry, and utility rooms with floor plans ranging from 3,103 square feet to 5,461 square feet.

Applicant's Justification

The applicant states the proposed zone change from R-E to an R-2 zone will be complementary to the future R-2 zoned subdivision on the west side of Valley View Boulevard and the existing subdivision to the east. The requested design review for increase in finished grade will allow for the site topography to be leveled due to existing parcel that falls from the west to east. The waivers for increase in wall heights will allow for the increase in grade and still provide for

privacy of the subdivision, while the waivers for off-site is a result of the immediate area and existing rights-of-way currently conform to rural standards. The waiver for street off-sets will allow the off-set between the proposed Pyle Avenue and the proposed Mountain Meadows Avenue to be reduced to approximately 109 feet.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0340-13	Nonconforming zone change on a portion of 80 acres from R-E to R-1 zoning and R-2 zoning, waiver for alternative landscaping, street intersection off-set, private street without County approved turnaround and off-site improvements, and design review for a single family residential development - expired	Approved by BCC	November 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	R-E	Undeveloped
East	Residential Low (up to 3.5 du/ac)	R-D, R-E, & R-1	Undeveloped & single family residential
South	Commercial Neighborhood & Residential Suburban (up to 8 du/ac)	C-1 & R-E	Undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
VS-21-0372	A vacation and abandonment of patent easements is a companion item on this agenda.
TM-21-500115	A tentative map for 109 single family lots and 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

Current Planning

Zone Change

There are existing single family residential developments approved for an R-2 zone classification that are adjacent to this site. The adjacent parcels to the west have been approved by NZC-19-0612 for a single family residential development in an R-2 zone. There are parcels to the east

across Valley View Boulevard which are currently undeveloped and zoned R-E but are designated as Residential Suburban (up to 8 du/ac) in the Enterprise Land Use Plan.

The density and intensity of the proposed development is compatible with existing, approved, and planned land uses in the surrounding area. The project complies with Urban Specific Policy 4 of the Comprehensive Master Plan to preserve existing residential neighborhoods by encouraging vacant lots within these areas to develop at similar densities as the existing area, which in this case is the approved single family residential development to the west and the residential development currently being developed to the south. In addition, staff finds that the proposed development complies with other applicable goals and policies.

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 applicant indicates that the increase retaining wall height is necessary due to existing contours, drainage patterns, and sewer issues. The applicant states that the site will be elevated to the point necessary to work with civil engineering constraints and not artificially increased to enhance views. The existing topography of the site and engineering constraints can be a unique circumstance for this site, which makes it necessary to increase retaining wall heights to retain fill. The request is consistent with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages, in part, appropriate buffers for single family residential developments. Therefore, staff can support this request.

Design Review #1

The proposed use of the property is not consistent and compatible with existing and planned land uses on the abutting properties. While the architectural design of the residences is consistent with existing single family homes in the area and is similar in density of those developments within the immediate area, staff does not support the waiver of development standards request to waive full off-site improvements (streetlights, sidewalk, curb, gutter, and partial pavement) along Valley View Boulevard. In addition, the lack of 10,000 square foot lots adjacent to the existing R-E developed homes, does not properly buffer these properties; therefore, staff does not support this design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to not install full off-site improvements on Valley View Boulevard when there are existing improvements north and south of this site. In 2017, a subdivision was approved on the southwest corner of Landberg Avenue and Valley View Boulevard and installed their portion of off-sites. Additionally, full off-site improvements exist

south of Cactus Avenue. Staff has no objection to not install full off-sites on Pyle Avenue, Haleh Avenue, Frias Avenue, and Polaris Avenue.

Waiver of Development Standards #3

Staff has no objection to the reduction in the street intersection off-set for Valley View Boulevard to Rosemont Hills Street or Pyle Avenue to Mountain Meadows Avenue. With additional common elements adjacent to the streets, visibility will be improved for those entering the subdivision.

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.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of the zone change, waiver of development standards #1, waiver of development standards #2 for Pyle Avenue, Haleh Avenue, Frias Avenue, and Polaris Avenue, waiver of development standards #3, and design review #2; denial of waiver of development standards #2 for Valley View Boulevard and design review #1.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 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;
- Traffic study and compliance;
- Right-of-way dedication to include 50 feet for Valley View Boulevard, 40 feet for Pyle Avenue, 30 to 60 feet for Haleh Avenue, 30 feet for Polaris Avenue, 30 feet for Frias Avenue, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the final map;
- Applicant shall enter into a cost participation agreement for future off-site improvements on Valley View Boulevard and Pyle Avenue.
- 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: BRUIN CAPITAL PARTNERS

CONTACT: WESTWOOD PROFESSIONAL SERVICE, 5725 W. BADURA AVE., STE 100, LAS VEGAS, NV 89118