

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400020 (ZC-20-0544)-DIAMOND WETLANDS, LLC:

USE PERMIT FIRST EXTENSION OF TIME for a townhouse planned unit development (PUD).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce the minimum lot size for a PUD; **2)** reduce the setback from any street, drive aisle, sidewalk, or curb within a PUD; **3)** alternative driveway geometrics; **4)** allow the egress side of the entry street to not be improved with curb, gutter, sidewalk, and a curb return; **5)** allow a non-standard gated entry design; and **6)** reduce driveway width.

DESIGN REVIEWS for the following: **1)** a townhouse PUD; and **2)** finished grade on 4.4 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the east side of Broadbent Boulevard and the south side of Wetlands Park Lane within Whitney. JG/tpd/cv (For possible action)

RELATED INFORMATION:

APN:

161-27-510-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the minimum lot size for a PUD to 4.4 acres where 5 acres is required per Section 30.24.020 (a 12% reduction).
2. Reduce the setback from any street, drive aisle, sidewalk, or curb within a PUD to a minimum of zero feet where a minimum of 10 feet is required per Section 30.24.080 (a 100% reduction).
3.
 - a. Eliminate the setback for a residential driveway from the property line where 6 feet is required per Uniform Standard Drawing 222 (a 100% reduction).
 - b. Reduce the throat depth to a call box to 75 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).
4. Allow the egress side of the entry street to not be improved with curb, gutter, sidewalk, and a curb return where improvements must be designed and installed in compliance with Uniform Standard Drawings 201 and 210.S1.
5. Allow a non-standard gated entry design where a design per Uniform Standard Drawing 222.1 is required.
6. Reduce the driveway width to 8 feet where 12 feet is the minimum required per Uniform Standard Drawing 222 (a 33% reduction).

LAND USE PLAN:

WHITNEY - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.4
- Number of Lots: 54
- Density (du/ac): 12.3
- Project Type: Attached single-family residential (townhouse) planned unit development
- Number of Stories: 2 & 3 (with deck)
- Building Height (feet): Up to 35
- Square Feet: 1,196 to 1,701
- Open Space Required/Provided: 13,614.4 (square feet)/14,532 (square feet)
- Parking Required/Provided: 135/135

Site Plans

The approved plans depict a triangular shaped site that is located on the south side of Wetlands Park Lane and on the east side of Broadbent Boulevard. Access to the gated, 54 unit townhome development is from Wetlands Park Lane on the northeast corner of the development. There are a total of 9 buildings. Two buildings, 1 with 8 units and the other with 7 units each, are parallel to Wetlands Park Lane, set back 10 feet from the right-of-way and 5 feet from the block wall. Another 2 buildings, 1 with 7 units and 1 with 6 units, are located along the east property line, adjacent to the existing residential development. The buildings are set back 31 feet from the east property line, with a landscape and walkway area between the buildings and the residential development. Three buildings are located on Broadbent Boulevard, set back 15 feet from the right-of-way, and 5 feet from the block wall. The 2 northernmost buildings each have 4 units and building 3 has 9 units. Two buildings and open areas are located in the center of the site, circled by the drive aisle accessing the units. One of those buildings has 5 units and the other has 4 units. Coach lighting is provided along the drive aisle. Guest parking is distributed along the west/southwest side of the site, along with 7 parallel parking spaces along the drive aisles. Lastly, 2 pedestrian gates are shown along Broadbent Boulevard, and 1 along Wetlands Park Lane adjacent to the entrance of the development.

Three model homes are proposed, two are 2 story and one is 3 story. Only Model A and Model B (2 stories) are depicted along the north and east sides of the site. In addition, Model A has a 1 car garage. The driveway is 20 feet, 12 feet of which are below the second story of the unit. Therefore, while Models B and C have 4 foot driveways, the driveways for Model A are 4 foot longer than the other models to accommodate the on-site driveway.

The minimum drive aisle setbacks for each townhouse unit and building are as follows:

- Front/Driveway - 4 feet (models B and C with 2 car garage)/20 feet (first floor of Model A with 1 car garage)/4 feet (second floor of Model A)
- Rear - 5 feet
- Side - zero feet between units/zero for 1 building within center of site and between 2 buildings along Broadbent Boulevard/7 between the remaining buildings

Landscaping

The approved plans depict a 15 foot landscape area including a detached sidewalk located along Broadbent Boulevard. Six feet of landscaping is located behind an attached sidewalk along Wetlands Park Lane. A 25 foot wide landscape area with a meandering sidewalk is located on the east property line, with a barbeque and shade structure at the southern point. Smaller common areas are located in the center of the site which includes a play area and splash pad.

Elevations

The approved plans depict three model homes, 2 models are 2 stories and 27 feet high, and the other model is 3 stories (third story along front half of the buildings) and 35 feet high. One of the 2 story models (Model B) has an outdoor deck on the second floor and the 3 story model (Model C) has an outdoor deck on the second and third stories. The decks are on the front elevations of the building. There are 3 architectural styles including modern craftsman, Italian and Spanish architecture. Finishes include stone veneers, engineered wood/vinyl siding and cement plaster finishes.

Floor Plans

The approved plans depict 3 models ranging in area from 1,196 square feet to 1,701 square feet and consist of the typical rooms within a residence.

Model A is 1,309 square feet and includes a 1 car garage (27 units).

Model B is 1,196 square feet and includes a 2 car garage, with a deck facing the front on the second story (13 units).

Model C is 1,701 square feet and includes a second master bedroom on the third floor. Front facing decks are on the second and third stories. This model also includes a 2 car garage (14 units).

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-20-0544:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- No 3 story homes along Wetlands Park Lane or along the eastern property line of the parcel;
- Tankless water heaters shall be provided in each townhouse;
- Minimum height of each garage shall be 9.5 feet with ceiling storage racks to be provided in each townhouse;
- Guest parking spaces to be labeled as "Guest Parking Only";
- Townhomes to be mapped as individual townhomes;
- 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 use permit, waivers of development standards and design reviews must commence within 2 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;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Tropicana Avenue/Broadbent Boulevard improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and 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.

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and to show on-site fire lane, turning radius, and turnarounds.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0283-2020 to obtain your POC exhibit; that flow contributions exceeding CCWRD estimates may require a new POC analysis; CCWRD owns and maintains two assets passing through the site: 1) a reuse water line and 2) a sewage force main; CCWRD has an easement for these assets per recorded document number 981026.00585 (to be included in the POC package); CCWRD will be performing upcoming rehabilitation of the force main passing through the site, at least two weeks prior to construction, please coordinate with CCWRD by e-mailing cespinoza@cleanwaterteam.com and ckessler@cleanwaterteam.com to get latest construction schedule; for any block walls utilized to separate the reuse water line and sewage force main from the main site, please follow DCSWCS SD-26A and SD-26B; and that a meeting with CCWRD is suggested prior to detailed design to discuss project constraints, please e-mail developmentsservices@cleanwaterteam.com to set up a project meeting.

Applicant's Justification

The applicant is requesting a 2 year extension of time for the approved project to commence because the subject site has extreme sub-surface conditions that require new designs for specialty foundations. The applicant expects to submit plans to the Building Department on or before June

1, 2025, and anticipates a 9 month review period for the permits. The approved project is still compatible with the surrounding area and will not have a negative impact on adjacent parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0544	Original application for a zone change, use permit, waivers of development standards, and design reviews for a townhouse PUD	Approved by BCC	February 2023
NZC-0552-06	Reclassified the site from R-E to RUD for a single-family subdivision - expired	Approved by BCC	June 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Manufactured home park
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed-Use	RS2 & IP	Single-family residential & undeveloped
East	Compact Neighborhood (up to 18 du/ac)	RM18	Single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS2	Single-family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds no permits, plans, or technical studies on file with the County. However, given this is the first extension of time, staff can support this request. If significant progress is not made and a second extension of time is necessary in the future, staff may not be able to support the request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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**

- Until February 22, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Whitney - denial.

APPROVALS:

PROTEST:

APPLICANT: KATRIINA PRUETT

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, LLC, 5052 S. JONES BOULEVARD, SUITE 165, LAS VEGAS, NV 89118