

09/21/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

CENTENNIAL PKWY/DAPPLE GRAY RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-22-0331-ROARING 20'S LLC:**

**ZONE CHANGE** to reclassify 5.1 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) combination wall height; 2) off-site improvements; and 3) street intersection off-set.

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

Generally located on the south side of Centennial Parkway, approximately 320 feet west of Campbell Road within Lone Mountain (description on file). RM/jvm/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
125-29-101-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase block wall height to 15 feet (up to 9 foot retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (a 67% increase).
2. Waive off-site improvements on Regena Avenue (including curb, gutter, sidewalk, streetlights, and partial paving).
3. Reduce the street intersection off-set to 117 feet where a minimum of 125 feet is required per Section 30.52.052 (a 6% reduction).

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase finished grade to 8 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 167% increase).

**LAND USE PLAN:**

LONE MOUNTAIN - PUBLIC USE

**BACKGROUND:**

**Project Description**

General Summary

- Site Acreage: 5.1

- Number of Lots/Units: 16
- Density (du/ac): 3.2
- Minimum/Maximum Lot Size (square feet): 8,780/9,381
- Project Type: Single family residential
- Number of Stories: 1
- Building Height (feet): Up to 19
- Square Feet: Up to 3,769

### **Neighborhood Meeting Summary**

This request is for a nonconforming zone change to reclassify 5.1 acres from an R-E zoning district to an R-1 zoning district to allow a single family residential development. The applicant conducted a neighborhood meeting on November 1, 2021, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Approximately 10 people attended the meeting. Overall, the neighbors were positive and portrayed a general support for the proposed single family residential development.

### **Site Plan**

The submitted plan depicts a rectangular, approximately 5.1 acre parcel proposed to be subdivided into 16 lots for a density of 3.2 dwelling units per acre. Access to the subdivision is provided by a 40 foot wide private street with a 5 foot wide sidewalk on 1 side that ends in a cul-de-sac turnaround. The private street is accessed from Centennial Parkway, a 100 foot wide right-of-way. The lots range in size from a minimum of 8,780 square feet to a maximum of 9,381 square feet.

### **Landscaping**

Landscaping with a detached 5 foot wide sidewalk is being provided along Centennial Parkway, and a 6 foot wide landscape planter outside of the perimeter wall is being shown along Regena Avenue. Both of these landscape areas will have 24 inch box trees, shrubs, and groundcover.

### **Elevations**

The applicant has submitted 4 models that have several elevation and roof variations. Materials include stucco, stone veneer, concrete roofing tile, foam popouts, and window and door fenestration.

### **Floor Plans**

The submitted plans depict typical rooms associated with a single family home including, bedrooms, bathrooms, living room, family room, and a kitchen.

### **Signage**

Signage is not a part of this request.

### Applicant's Justification

The applicant states that this request complies with Urban Specific Policy 38 that encourages new residential development adjacent to existing estate residential areas to transition at appropriate densities and be of similar height. In addition, the applicant states that the site design is compatible with adjacent land uses and off-site circulation patterns.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0084-04	Place of worship	Approved by PC	February 2004

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E	Undeveloped
West	City of Las Vegas	R-E	Place of worship

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-22-0332	A request to vacate and abandon patent easements is a companion item on this agenda.
TM-22-500110	Tentative map for 16 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

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

Staff finds that there has not been a change in law, policies, trends, or facts that have substantially changed the character or condition of the area along Centennial Parkway. Since 2020 there have been several new single family developments west of the site and also a place of worship constructed in 2016.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The project will provide single family residential homes that act as a buffer between the existing low density homes to the east and south, and the more intense commercial and residential developments to the north and west. The intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

The project is not anticipated to have substantial adverse effects on services and facilities. RISE reports have been prepared to show a more precise impact on public infrastructure and facilities. Additionally, most services and necessary infrastructure already exist in the area.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The proposed project conforms to some of the design policies established in the Master Plan, the proposed R-1 (Single Family Residential) zoning adjacent to an existing rural to the south is consistent with Urban Land Use Policy 10 of the Master Plan which encourages, in part, site designs that are compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. The request also conforms to Urban Specific Policy 38 which encourages new residential developments adjacent to existing estate residential areas to transition at appropriate densities and be of similar height. The lots on the site conform to Policy 38, and the proposed housing product for the development will offer 1 story homes.

## **Summary**

### Zone Change

This request is for a nonconforming zone change to R-1 zoning. Staff finds that the requested zoning and development could be conducted in a manner that is harmonious and compatible with existing development in the area; however, this is a nonconforming request that requires the applicant to enter into a resolution of intent that acknowledges that the proposed zoning request is subject to building the proposed project. Since staff cannot support the design of the project, staff cannot support the zoning request and recommends denial.

### 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

Staff has no practical problem with this request as increased wall height is a common request throughout the County; however, since staff is not supporting the design review, staff cannot support this request.

### Design Reviews

Staff finds that the proposed design of the subdivision creates vehicular conflicts at various locations within this subdivision. For instance, Centennial Parkway will ultimately be built as a 100 foot wide right-of-way, with vehicle speeds of 45 mph. There is no deceleration lane planned so vehicles trying to enter the subdivision will have to slow down to a virtual stop in order to make the right hand turn. Also, cars queueing up at the intersection of the entrance at Centennial Parkway could block the driveways of the adjacent lots. In addition, vehicles going south on Dapple Gray Road wanting to make a left onto Centennial Parkway would be in direct conflict with vehicles making a left on to Centennial Parkway from the subdivision; therefore, staff cannot support the design review.

## **Public Works - Development Review**

### Waiver of Development Standards #2

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

### Waiver of Development Standards #3

Staff cannot support this request to reduce the street intersection off-set between Dapple Gray Road and Colville Court. The subdivision is proposing access on Centennial Parkway, a major arterial street designed to convey large volumes of traffic. Centennial Parkway is a heavily travelled street due to surrounding development such as Centennial High School, institutional uses, the beltway interchange to the east, and the Fort Apache Road bridge to the west. Due to the increased potential for traffic collisions, staff cannot support the design of the project with access to Centennial Parkway. With access changed to Regena Avenue, the street intersection off-set will still be required, but it will be safer for the public.

### 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. However, since staff does not support the rest of the application, staff cannot support this request.

### **Staff Recommendation**

Denial. This item has been forwarded to the Board of County Commissioners' meeting for final action.

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.

**PLANNING COMMISSION ACTION:** September 6, 2022 – APPROVED – Vote: Unanimous

### **Current Planning**

- Resolution of Intent to complete in 4 years;
- Per revised plans;
- All homes to be single story.
- 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

### **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 on Centennial Parkway;
- Right-of-way dedication to include 45 feet to the back of curb for Centennial Parkway and 30 feet for Regena Avenue;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with the City of Las Vegas on the Centennial Parkway improvement project.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and that the 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 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.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:** Lone Mountain - denial.

**APPROVALS:**

**PROTESTS:** 14 cards, 2 letters

**PLANNING COMMISSION ACTION:** August 2, 2022 – HELD – To 08/16/22 – per the applicant.

**PLANNING COMMISSION ACTION:** August 16, 2022 – HELD – To 09/06/22 – per the applicant.

**APPLICANT:** PINNACLE HOMES

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD., SUITE 100, LAS VEGAS, NV 89118