

08/06/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-24-400075 (WS-22-0194)-DR HORTON, INC.:**

**WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** for reduced setbacks in conjunction with a single-family residential development on 22.5 acres in an RS2 (Residential Single-Family 2) Zone.

Generally located on the west side of Dean Martin Drive and the south side of Frias Avenue within Enterprise. JJ/rp/syp (For possible action)

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RELATED INFORMATION:

**APN:**

177-29-403-003; 177-29-411-001 through 177-29-411-098

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the rear setbacks for Lots 16, 26, 35, Lots 45 through 126, Lots 128 through 186, and Lots 188 through 197 to 10 feet where 15 feet is required per Table 30.40-2 (a 33% decrease).

**LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 22.5
- Number of Lots/Units: 207
- Project Type: Single-family residential

**Site Plans**

The approved plans depict a previously approved single-family residential development consisting of 207 lots on 22.5 acres. The minimum and maximum lot sizes are 2,657 square feet and 6,493 square feet, respectively. The primary ingress and egress to the development is currently via a private street from Rush Avenue. The other future primary entrance to the proposed development is via a private street from Dean Martin Drive. The interior of the development is serviced by a network of 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street. Due to utility easements, the lots fronting Frias Avenue will be setback a significant distance from the street. Common Element Lot F consists of 19,213 square feet of open space and is located on the south side of the subdivision. Reduced setbacks are requested for a majority of the lots throughout the subdivision, including the perimeter lots along the north

side of the subdivision, the east side along Dean Martin Drive, and south side of the subdivision adjacent to commercial development.

### Landscaping

The approved plans depict street landscaping consisting of a 15 foot wide area, which includes a 5 foot wide detached sidewalk along Dean Martin Drive and Frias Avenue. Along Rush Avenue and Polaris Avenue landscaping consists of a 6 foot wide area behind an attached 5 foot wide sidewalk since lots will be fronting on these streets. A meandering detached sidewalk is shown along Frias Avenue within the utility easement. Internal to the site, a network of common open space will be interconnected throughout the development. These community elements will include on-site pedestrian paths, pavilions, and benches for the future residents.

### Elevations

The approved plans depict 3 different model homes each featuring 3 varying elevation models. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

### Floor Plans

The approved plans depict 2 story model homes ranging in size from 1,715 square feet to 1,865 square feet depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway.

### Signage

Signage is not a part of the original request.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-22-0194:

#### Current Planning

- 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 and application for review; 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 this application must commence within 2 years of approval date or it will expire.

#### Fire Prevention Bureau

- All proposed single-family residential submittals will comply with code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to

back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curb for roll curbs;

- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings;
- Homes on undersized stub streets will require fire sprinklers.

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 #0462-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

#### Applicant's Justification

The applicant indicates that the developer is currently in the process of securing the necessary permits and approvals to develop the subject property as previously approved. The applicant stated that phase 1 of the development has been subdivided (NFM-22-500153), however, phase 2 is currently in review at this time. The applicant is requesting a 1 year extension for the application.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-22-0194	Waived reduced setbacks	Approved by PC	June 2022
ZC-20-0574	Reclassified 22.5 acres from R-E to RUD zoning with alternative driveway geometrics and increased finish grade	Approved by BCC	March 2021
VS-20-0575	Vacated patent easements and BLM right-of-way grants	Approved by BCC	March 2021
TM-20-500199	Subdivided the site into 209 single-family residential lots	Approved by BCC	March 2021
PA-18-700020	Re-designated the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single-family residential subdivision - expired	Approved by BCC	November 2013

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS5.2, RS10, & RS20	Undeveloped & single-family residential
South	Corridor Mixed-Use; Mid-Intensity Suburban Neighborhood (up to 8 du/ac); & Neighborhood Commercial	CG & RS20	Convenience store, gas station, single-family residential, & undeveloped

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed-Use	RS20 & CG	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	RS20 & CG	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

### **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.

The applicant is currently working with Public Works. A final map (NFM-22-500153) was recorded in August 2023 for a portion of the subdivision and the off-site permit (PW-20-20520) was issued in April 2023. Phase 2 (PW-23-13612) is currently being reviewed and a drainage study (PW-24-13183) has been completed in June 2024. Since the applicant has made progress and has a current application with Public Works, staff can support the applicant's request for a 1 year extension.

#### **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 June 7, 2025 to commence or the application will expire unless extended with approval of an extension of time;
- 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.
- 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; 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**

- No comment.

**Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:** Enterprise - approval.

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DR HORTON, INC.

**CONTACT:** VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146