

UPDATE

**SINGLE FAMILY
RESIDENTIAL DEVELOPMENT
(TITLE 30)**

BROADBENT BLVD/WETLANDS PARK LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-20-0544-VALENTI SAM P & MARY TR SURV TR & VALENTI SAM & MARY TR
DCDNTS TR:**

AMENDED HOLDOVER ZONE CHANGE to reclassify 2.9 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS (previously not notified) for the following: **1)** lot size; **2)** setbacks; **3)** allow an attached sidewalk; **4)** gate and fence height; **5)** front yard hardscape; **6)** reduce parking; **7)** alternative driveway geometrics; **8)** curb radius; **9)** alternative private street sections; **10)** reduce street intersection off-set; **11)** increase the number of dwelling units that access residential private streets; and **12)** allow streets without a County approved turnaround.

DESIGN REVIEWS for the following: **1)** a single family residential development (previously notified as a multiple family residential development); and **2)** finished grade.

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

RELATED INFORMATION:

APN:

161-27-510-007

WAIVERS OF DEVELOPMENT STANDARDS (PREVIOUSLY NOT NOTIFIED):

1. Reduce lot size to 1,285 square feet where 1,800 square feet is the standard per Table 30.40-3 (a 29% decrease).
2.
 - a. Eliminate front setbacks where 20 is required per Table 30.40-2 (a 100% reduction).
 - b. Eliminate interior side setbacks where 5 feet is required per Table 30.40-2 (a 100% reduction).
 - c. Eliminate side street (corner) setbacks where 10 feet is required per Table 30.40-2 (a 100% reduction).
 - d. Eliminate the rear setbacks where 15 feet is required per Table 30.40-2 (a 100% reduction).
 - e. Eliminate the setback to a right-of-way where 10 feet is required per Section 30.56.040 (a 100% reduction).
3. Allow an attached sidewalk with 6 feet of landscaping along Broadbent Boulevard where a detached sidewalk with 15 feet of landscaping is required per Figure 30.64-17.

4. Increase the height of the entrance gate and fence to 8 feet where 6 feet is the maximum per Section 30.64.020 (a 33% increase).
5. Increase the front yard hardscape to 70% where 60% is the maximum per Section 30.64.030 (a 17% increase).
6. Reduce parking to 118 spaces where 142 spaces are required (a 17% reduction).
7.
 - 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 33 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 67% reduction).
8.
 - a. Reduce back of curb radii to 15 feet where 20 feet is the minimum per Uniform Standard Drawing 201 (a 25% reduction).
 - b. 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.
9.
 - a. Reduce the private street width to 33 feet where 37 feet is the minimum per Uniform Standard Drawing 210.S1 and Section 30.52.030 (an 11% reduction).
 - b. Reduce private street drivable surface to 24 feet where 36 feet is the minimum per Uniform Standard Drawing 210.S1 and Section 30.52.030 (a 33% reduction).
 - c. Allow private streets with “A” curbs where “L” curbs are required per Uniform Standard Drawing 210.S1.
10. Reduce street intersection off-set to 55 feet where 125 feet is the minimum per Section 30.52.052 (a 56% reduction).
11. Increase the number of dwelling units that access residential private streets less than 150 feet in length to 9 dwelling units where 6 dwelling units is the maximum per Section 30.52.030 (a 50% increase).
12. Allow private streets greater than 150 feet in length to terminate without a County approved turnaround where a County approved turnaround is required per Section 30.52.030.

DESIGN REVIEWS:

1. Single family residential development (previously notified as a multiple family residential development).
2. Increase finished grade to 48 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 167% increase).

LAND USE PLAN:

WHITNEY - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.9
- Number of Units: **59**
- Density (du/ac): **13.6**
- Project Type: **Single** family residential development

- Number of Stories: **2**
- Building Height (feet): **22**
- Square Feet: **1,075 & 1,285**
- Open Space Required/Provided (square feet): **7,080/11,549**
- Parking Required/Provided: **142/118**

Request Update

This application was originally submitted as a multiple family residential development with no waivers of development standards. However, based on feedback from the neighbors, the application was held and resubmitted as a single family residential development. This report reflects the proposed design for the single family residential development.

Site Plan

The site plan depicts a single family residential subdivision with gated access from Wetlands Park Lane on the north side of the site. Internal private streets transition in width from 33 feet to 25 feet and terminate in stub streets with crash gates on Broadbent Boulevard. A larger north/south street runs along the east side of the site, and east/west streets extend towards Broadbent Boulevard. Single family residential lots are located adjacent to all the internal private streets.

Numerous waivers of development standards are necessary for the proposed single family subdivision layout. Waivers of development standards include reducing the minimum lot size, eliminating setbacks for portions of the residences, increasing the hardscape in the front yard of each residence, eliminating all visitor parking and all additional parking required for enclosed parking spaces, and increasing the height of the entrance and exit gates and adjacent fence to 8 feet. In addition, numerous additional waivers of development standards are necessary related to the driveway geometrics to enter the gated subdivision, driveway geometrics for each single family residence, reducing curb radii, alternative private street sections, reducing street intersection off-set between the internal private street #1 and Wetlands Park Lane, increasing the number of dwelling units that access residential private streets, and allowing all the internal private streets to terminate without a County approved turnaround.

Landscaping

Landscaping along Wetlands Park Lane 6 feet wide behind an attached sidewalk, and landscaping along Broadbent Boulevard is also 6 feet wide behind an attached sidewalk. However, since Broadbent Boulevard is an arterial street, 15 feet of landscaping is required with a detached sidewalk. Therefore, a waiver of development standards is necessary for the proposed landscaping and attached sidewalk on Broadbent Boulevard.

A 20 foot wide landscape area with a meandering walking path and trees spaced 30 feet on center is located along the east property line. Additional landscape areas and open space include a 816 square foot barbeque area with a shade structure in the northwest portion of the site, and a 1,216 square foot dog park also located in the northwest portion of the site. Pedestrian gates are provided from the 3 open space areas to Broadbent Boulevard.

Elevations

Two elevations are provided for the single family residential subdivision. Both elevations are 22 feet high and include painted stucco, cultured stone veneer, and wood siding accents.

Floor Plans

Two floor plans are provided for the single family residential subdivision, and both floor plans are 2 stories. The smaller floor plan is 1,075 square feet and includes a 2 car garage, a great room, powder room, and kitchen on the first floor. The second floor includes 3 bedrooms, 2 bathrooms, and a balcony. The front door of this floor plan is located on the side of the house. As a result, the garage door occupies the entire front of the house.

The second floor plan is 1,285 square feet. The first floor includes a single car garage, a great room, powder room, and kitchen. On the second floor, the residence includes 3 bedrooms and 2 bathrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed R-3 zoning conforms to the planned land use for the site, and the intensity, scale, height, and operations of the proposed **single** family residential development is harmonious and compatible with existing development and planned uses in the surrounding area. The increased finished grade is necessary due to the topography of the 2 existing streets and residential development to the east. Geotechnical explorations also indicate a high water table on the site, and specialized foundation systems will be required since the site is subject to liquefaction.

The applicant indicates that the waivers of development standards are necessary to construct a single family subdivision on the site, and the waivers of development standards will not create any negative impacts.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|-------------|
| NZC-0552-06 | Reclassified the site from R-E zoning to RUD zoning for a single family subdivision - expired | Approved by BCC | June 2006 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---------------------------------------|------------------------|---------------------------|
| North | Residential Suburban (up to 8 du/ac) | R-T | Manufactured home park |
| South & West | Residential Medium (3 to 14 du/ac) | RUD | Undeveloped |
| East | Residential High (from 8 to 18 du/ac) | R-3 | Single family residential |

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 proposed conforming zone boundary amendment is within the range of residential densities planned for this site by the Whitney Land Use Plan. R-3 zoning, which allows up to 18 dwelling units per acre, is compatible with the R-T zoned manufactured home park to the north across Wetlands Park Lane, the R-3 zoned single family subdivision (planned unit development) to the east, and the RUD undeveloped parcel to the southwest across Broadbent Boulevard. In addition, Broadbent Boulevard, which transitions into Tropicana Avenue to the northwest of this site, is a 100 foot wide arterial street. As a result, staff can support the 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 and value 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 cannot support the waiver of development standards to reduce lot sizes. The minimum lot size of 1,800 square feet is the smallest lot size allowed for single family developments in Title 30. Reducing the lot sizes more than 1,800 square feet would allow denser development with more single family residences, which in turn increases the intensity and potential impacts to the surrounding community. Also, reducing the lot sizes diminishes the quality of life for future residents and results in over-development of the site; therefore, staff cannot support the request.

Waiver of Development Standards #2

Eliminating and reducing various setbacks throughout the subdivision would allow for denser development of the site. In addition, reducing setbacks from rights-of-way can create safety concerns for pedestrians and motorists. Lastly, Urban Specific Policy 39 encourages appropriate setbacks for single family developments, and eliminating the setbacks are not appropriate. Therefore, staff cannot support the request.

Waiver of Development Standards #3

Detached sidewalks with 15 feet of landscaping increases the safety and comfort of pedestrians along collector and arterials streets. In addition, detached sidewalks with the required landscaping improves the aesthetic quality of an area. Although the adjacent developments on the north side of Broadbent Boulevard include attached sidewalks, a more recent single family subdivision on the south side of Broadbent Boulevard, across from the

subject site, includes detached sidewalks with the required 15 feet of landscaping. Therefore, staff cannot support the request.

Waiver of Development Standards #4

Six foot high walls, fences, and gates are typical of single family subdivisions. There are no mitigating factors that would justify increasing the gates and fence height to 8 feet for this development, and staff cannot support the request.

Waiver of Development Standards #5

Increasing the hardscape in the front yards is in part necessary due to the reduced lot sizes and reduced setbacks. As a result, most of the front yards will consist of the driveways. This reduces the landscape that is available to absorb surface water and that could help alleviate the urban heat island effect. Therefore, staff cannot support the waiver of development standards.

Waiver of Development Standards #6

The narrow streets within the subdivision will not allow room for on-street parking, and each single family residence has parking on each site for only 2 vehicles. As a result, there is no visitor parking proposed with this subdivision where 12 spaces are required. Also, 1 parking space is required for each enclosed parking space, which results in another 12 required parking spaces. Guests will inevitably visit residents in this subdivision; however, there will be no available parking for guests. Also, if residents use the garages for storage instead of parking vehicles, there will be no additional spaces to accommodate their vehicles. The design of this subdivision creates the potential for overflow parking on adjacent streets and subdivisions and staff cannot support this request.

Design Review #1

The cumulative effect of the waivers of development standards is not consistent with Title 30 standards nor the policies in the Comprehensive Master Plan. For example, Urban Specific Policy 39 encourages appropriate setbacks, parking, and landscaping with all single family developments. Setbacks, parking, and landscaping are all being reduced or eliminated with this subdivision, which will create negative impacts to residents and the surrounding community.

Regarding the single family residential models, there are only 2 elevations proposed for the 59 lots, and both elevations create visual dominance of the garage doors. Combined with the reduced setbacks and reduced lot sizes, the interior streets of the subdivision will feel stark with minimal landscaping and monotonous garage doors. This conflicts with Urban Specific Policies 43 and 44, which encourage varied setbacks and reduced visual impact of residential garages to the streets.

Lastly, the layout of the subdivision with reduced street widths and no County approved turnarounds could create access concerns for emergency personnel. A single point of entry and exit is provided, and the internal street network will be difficult for vehicles to navigate and turnaround. As a result, staff cannot support design review #1.

Public Works - Development Review

Waiver of Development Standards #7a

Staff cannot support the request to eliminate the distance from the driveways to the property lines. There is no valid justification as to why a single family detached subdivision cannot meet the minimum distance of 6 feet.

Waiver of Development Standards #7b

Staff cannot support the request to reduce the distance to the call box. With only 33 feet, there will only be room for 1 vehicle to wait at the call box while other vehicles will stack into the right-of-way, causing potential collisions.

Waiver of Development Standards #8a

Staff cannot support the request to reduce the back of curb radius for the internal streets since there is no valid justification as to why the standard cannot be met for a single family detached subdivision.

Waiver of Development Standards #8b

Staff cannot support the applicant's design of the egress side of the entry street. It is important to meet the standards for curb returns on streets to ensure that there is a safe sidewalk for pedestrians. Additionally, the minimum standard is in place for compliance with ADA standards. The applicant has not provided a valid justification as to why the standard cannot be met.

Waiver of Development Standards #9

Staff cannot support the modified private street standards since there is no valid justification as to why the standards cannot be met for a single family detached subdivision.

Waiver of Development Standards #10

Staff cannot support the reduced street intersection off-set. A larger off-set would create a larger throat depth to the call box, making access to the site safer.

Waiver of Development Standards #11

Staff cannot support the request to allow more than 6 dwelling units on a stub street since there is no valid justification as to why the standard cannot be met for a single family detached subdivision.

Waiver of Development Standards #12

Staff cannot support the request for streets over 150 feet in length to not terminate in a County-approved turnaround since there is no valid justification as to why the standards cannot be met for a single family detached 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. **However, since staff cannot support all of the waivers for the project, staff cannot support this request.**

Staff Recommendation

Approval of the zone change; denial of the waivers of development standards and design reviews.

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;
- 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 **wavers 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;
- Coordinate with Public Works - Design Division for the Broadbent Boulevard Capital Improvement Project;
- Grant any necessary rights-of-way and easements for the Broadbent Boulevard Capital Improvement Project;
- **30 days to submit a Separate Document to the Map Team for any required right-of-way dedications and easements for the Broadbent Boulevard Capital Improvement Project;**
- **90 days to record any required right-of-way dedications and easements for the Broadbent Boulevard Capital 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.

Building Department - Fire Prevention

- 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; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS: 4 cards

PROTESTS: 69 cards

COUNTY COMMISSION ACTION: February 3, 2021 – HELD – To 03/03/21 – per the applicant.

COUNTY COMMISSION ACTION: March 3, 2021 – HELD – To 05/05/21 – per the applicant.

COUNTY COMMISSION ACTION: May 5, 2021 – HELD – To 06/16/21 – per the applicant to rewrite/re-notify.

COUNTY COMMISSION ACTION: June 16, 2021 – HELD – No Date – per the applicant.

APPLICANT: PETERSEN MANAGEMENT, LLC

CONTACT: DC PETERSEN PROFESSIONAL CONSULTANTS, 5052 S. JONES BLVD., SUITE 110, LAS VEGAS, NV 89118