

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0925-ROOHANI RAMAK:

ZONE CHANGE to reclassify 14.3 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)** reduced street landscaping; **2)** eliminate landscaping adjacent to a less intensive use; and **3)** reduce street intersection off-set.

DESIGN REVIEW for a single family residential development.

Generally located on the west side of Valley View Boulevard and the south side of Richmar Avenue within Enterprise (description on file). JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

177-19-802-005; 177-19-802-006; 177-19-802-008; 177-19-802-009; 177-19-802-018 through 177-19-802-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow reduced street landscaping (5 foot wide landscape area with a 5 foot wide detached sidewalk) along Hinson Street where 15 feet of landscaping, including a detached sidewalk, is required per Figure 30.64-17.
2. Eliminate landscaping adjacent to a less intensive use (single family residential development) where a 5.5 foot wide landscape strip with 1 large 24 inch box Evergreen tree per 30 feet is required per Figure 30.64-11.
3. Reduce the street intersection off-set to 115 feet where 125 feet is required per Section 30.52.052 (an 8% reduction).

PROPOSED LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 14.3
- Number of Lots: 113
- Density (du/ac):7.9
- Minimum/Maximum Lot Size (square feet): 3,385 (gross & net)/6,528 (gross & net)
- Project Type: Single family residential development
- Number of Stories: 2

- Building Height (feet): 25
- Square Feet: 2,069 to 2,484
- Open Space (square feet): 4,484 (Common Element “1”)

Site Plan & Request

The applicant is requesting a zone boundary amendment to reclassify 14.3 acres from an R-E to an R-2 Zone for a single family residential development. Application PA-23-700054 is the corresponding Plan Amendment for the subject property requesting to change the land use category from Low-Intensity Suburban Neighborhood to Mid-Intensity Suburban Neighborhood on the east portion of the site, consisting of 4 parcels and 7.6 acres.

The plans depict a single family residential development consisting of 113 lots on 14.3 acres with a density of 7.9 dwelling units per gross acre. The minimum and maximum lot sizes are 3,385 and 6,528 square feet, respectively. Access to the site is granted via a 58 foot wide north/south private street (Street A) that connects to Richmar Avenue, a public street. A 5 foot wide detached sidewalk is provided along both sides of Street A. The interior street network of the development consists of two, 43 foot wide east/west private streets (Street B and C) and two, 43 foot wide north/south private streets (Streets F and G). The east and west portions of Street B terminate in a cul-de-sac bulb and stub street, respectively. The east and west portions of Street C terminate in a stub street. Five foot wide attached sidewalks are located on 1 side of the 4 private streets. Two additional 43 foot wide north/south private streets (Streets E and D), terminating in a cul-de-sac bulb, connect to Street C. Lots 49 through 65 are oriented towards Hinson Street while all remaining lots within the subdivision face towards the interior private streets. Five foot wide detached sidewalks will be provided along Richmar Avenue and Hinson Street. The finished grade for the proposed development will not exceed the maximum of 3 feet as permitted by Code. A waiver of development standards is required to reduce the street intersection off-set to 115 feet for Street A, located between Richmar Avenue and Street B.

Landscaping

The plans depict a street landscape area, including a 5 foot wide detached sidewalk, measuring 15 feet in width along Richmar Avenue. A street landscape area, including a 5 foot wide detached sidewalk, measuring 10 feet in width is provided along Hinson Street necessitating a waiver of development standards for reduced street landscaping. A 5 foot wide landscape area behind the detached sidewalk along Hinson Street, consisting of trees, shrubs, and groundcover, will be maintained by the individual property owner. Trees, shrubs, and groundcover are located within the street landscape areas. An open space area (comment element “1”) measuring 4,484 square feet in area is located at the southwest corner of the development, between lots 51 and 52. A 5 foot wide pedestrian walkway within the open space area will connect to the detached sidewalk along Hinson Street. Multiple lots within the subdivision have rear or side yards that are adjacent to either 3 undeveloped R-E zoned lots or a single, developed R-E zoned lot. These residential lots within the proposed subdivision are required to provide 1 large evergreen tree every 30 feet in the side or rear yards as a buffer between the residential uses in accordance with Figure 30.64-11. The applicant is requesting a waiver of development standards to eliminate landscaping adjacent to a less intensive use, being the R-E zoned lots.

Elevations

The plans depict 2 story model homes with a maximum height up to 25 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, decorative foam for trim, and accents. Some of the models also include decorative stone veneer.

Floor Plans

The plans depict 2 story model homes with multiple floor plans ranging from 2,069 to 2,484 square feet. The models feature multiple bedrooms, bathrooms, kitchen, and a great room. All models feature 2 car garages.

Applicant’s Justification

Directly north of Richmar Avenue is APN 177-19-704-005, a developed parcel zoned R-2. Just south of Silverado Ranch Boulevard, between Arville Street and Valley View Boulevard are both existing and future single-family developments which are zoned R-2 and R-3. West of Hinson Street is a 13 acre site that was approved in December of 2022 for a zone change from R-E to RUD to allow for 119 single family residential lots, at a density of 9.2 dwelling units per acre. There is only 1 existing Ranch Estate residence immediately adjacent to the site, located on the northwest corner of West Gary Avenue and South Valley View Boulevard. The site is surrounded by undeveloped lands to the north, east, and west. South of the site are existing single family developments and others that are currently under development which are zoned R-2. This demonstrates the transition that is occurring in the immediate area of the site.

The applicant is requesting to allow the street off-set to be reduced to approximately 115 feet from existing Richmar Avenue to the proposed Street A. This off-set is created with the typical lot depth of 100 feet plus the 15 foot landscape area along Richmar Avenue. This allows the subdivision to back lots to Richmar Avenue and provide the required landscape buffering along Richmar Avenue as required per Code. This reduced intersection off-set does not create an unsafe driving condition in this area. The applicant is requesting alternative landscaping along Hinson Street. In an effort to maintain the initiative for detached sidewalks along 60 foot wide streets and larger, this development will propose the detached sidewalk, however, the area behind the sidewalk will be the front yard of the residence. A 10 foot wide landscape easement will be granted and maintained by the HOA while the area behind the sidewalk will be maintained by the homeowner. Several lots on the proposed site are backing up to, or have a side yard adjacent to, a less intensive land use. The developer cannot guarantee that the homeowners of these lots will maintain the landscaping requirement in their rear or side yards, therefore, this waiver is being requested.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-intensity Suburban Neighborhood (up to 5 du/ac) & Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E, R-1, & R-2	Undeveloped & approved single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
South	Urban Neighborhood (greater than 18 du/ac)	R-5	Undeveloped
East	Open Lands; Ranch Estate Neighborhood (up to 2 du/ac); & Compact Neighborhood (up to 18 du/ac)	R-E & R-E (RNP-I)	Undeveloped & single family residential
West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Undeveloped

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

Related Applications

Application Number	Request
PA-23-700054	A plan amendment to redesignate the land use from Low-Intensity Suburban Neighborhood to Mid-Intensity Suburban Neighborhood is a companion item on this agenda.
TM-23-500194	A tentative map for 113 single family residential lots is a companion item on this agenda.
VS-23-0926	A request to vacate and abandon government patent easements and right-of-way is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Zone Change

The intent of the R-2 zoning district is to provide for the development of compact single family residential uses and to prohibit the development of incompatible uses that are detrimental to the residential environment. The proposed zoning is compatible with the density and intensity of the previously approved R-1 and R-2 residential developments immediately to the north of the project site, across Richmar Avenue. Furthermore, the proposed R-2 residential development provides an appropriate transition from the recently approved R-5 multiple family development, immediately to the south of the project site. Staff finds the proposed zoning complies with Goal 1.1 of the Master Plan which encourages opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. The proposal also complies with Policy 1.3.2 that encourages a mix of housing options, both product types and unit sizes, within larger neighborhoods and multiple family developments. For these reasons, staff finds the request for the R-2 Zone is appropriate for this location; therefore, recommends approval.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff finds the request to reduce street landscaping along Hinson Street, consisting of a 5 foot wide detached sidewalk located behind a 5 foot wide landscape area, reasonable. The proposed landscape plan indicates the required amount of trees will be planted within the landscape area behind the detached sidewalk, and maintained by the individual property owner; therefore, staff can support this request.

Waiver of Development Standards #2

The intent to require landscaping adjacent to a less intensive residential use is to mitigate the impact a higher density residential use may have on the adjacent, lower density, properties. The request to eliminate the landscape buffer is a self-imposed burden; therefore, staff recommends denial.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design of the residences comply with the Master Plan which promotes projects that provide varied neighborhood design that includes varied setbacks from residences to front property lines, reduced visual dominance of garages, varied rooflines, and/or architectural enhancements on all sides. Staff finds the design of the proposed development is effective for both pedestrian and vehicular safety and is compatible with the surrounding residential development within the area. Therefore, staff recommends approval of the design review.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection in the reduction of street intersection off-set for the distance along the private Street "A" from Richmar Avenue to private Street "B". The reduction is within the proposed subdivision and should not have a negative impact on the residents.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid 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 Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of the zone change, waivers of development standards #1 and #3, and the design review; denial of waiver of development standards #2. 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: March 5, 2024 – APPROVED – Vote: Unanimous Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide a second vehicular entrance from Hinson Street;
- Lots adjacent to a less intense use shall install and maintain landscaping with language requiring maintenance of this landscaping provided within the community's CCR document;
- 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 approval of an application for a zoning inspection.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; 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

- Drainage study and compliance;
- Traffic study and compliance;
- Right-of-way dedication to include 25 feet to the back of curb for Richmar Avenue and associated spandrels;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas on Valley View Boulevard in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb, the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 at landuse@lasairport.com 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.

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 #0348-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of zone change to R-1 on parcels 177-19-802-005, 177-19-802-006, 177-19-802-018, & 177-19-802-009 (east side of Schuster Street alignment), zone change to R-2 on parcels 177-19-802-008 & 177-19-802-019 (west side of Schuster Street alignment), add second emergency access ingress & egress on Hinson Street; denial of the design review.

APPROVALS: 1 card

PROTESTS: 3 cards, 1 letter

PLANNING COMMISSION ACTION: February 20, 2024 – HELD – To 03/05/24 – per the applicant.

APPLICANT: KB HOME

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