

11/21/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

GOMER RD/CONQUISTADOR ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0686-MOLLY V. SERIES 3, LLC:

ZONE CHANGE to reclassify 2.5 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)** increase retaining wall height; and **2)** eliminate street landscaping.

DESIGN REVIEWS for the following: **1)** single family residential subdivision; **2)** allow a hammerhead street design; and **3)** finished grade.

Generally located on the northwest corner of Conquistador Street and Gomer Road within Enterprise (description on file). JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

176-19-401-005 through 176-19-401-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the combined retaining and screen wall to 12 feet (6 foot retaining and 6 foot screen) where 9 feet (3 foot retaining and 6 foot screen) is the maximum per Section 30.64.050.
2. Eliminate street landscaping and detached sidewalk along Conquistador Street where required per Figure 30.64-17.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Allow a private street to terminate in a hammerhead design where a radius cul-de-sac per Uniform Standard Drawing is preferred per Section 30.56.080.
3. Increase finished grade to 59 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 64% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 2.5
- Number of Lots/Units: 20
- Density (du/ac): 8.0
- Minimum/Maximum Lot Size (square feet): 3,515/5,826
- Project Type: Single family residential
- Number of Stories: 2
- Building Height (feet): 26.5
- House Square Feet: 2,432 to 2,783

Site Plans

The plans submitted depict a proposed 20 lot single family subdivision at the corner of Conquistador Street and Gomer Road. This application is for a zone change from the existing R-E (Rural Estates Residential) zone to an R-2 (Medium Residential Density) zone. Lots within the subdivision either front on Conquistador Street or have access to a 41 foot wide private hammerhead street from Gomer Road. Increased grade is also proposed for a total of 59 inches where 36 inches is allowed.

Landscaping

The plans depict street landscaping along Gomer Road with a detached sidewalk in conformance with Title 30. The applicant is requesting to waive the required street landscaping and detached sidewalk for Conquistador Street.

Elevations

The plans depict 2 story residential structures with stucco finish and roof tiles with pitched roofline. Architectural enhancements include stucco pop-outs and decorative shutters. The maximum height shown is 26.5 feet.

Floor Plans

The plans depict 3 different floor plans with 3 bedrooms and a 2 car garage. The gross square footage ranges from 2,432 square feet to 2,783 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states Beazer Homes is proposing a 20 lot subdivision with an average lot size of 3,777 square feet. The application request is for a zone change from the current R-E zone to the R-2 zone with a planned land use of Mid-Intensity Suburban Neighborhood that allows for 8 dwelling units per acre. Many of the adjacent development patterns are R-2 zoning and this rezoning will not have any impacts to the surrounding neighborhood. A design review is requested in accordance with Table 30.16-9 to: 1) artificially increase the finished grade; and 2) to utilize a hammerhead cul-de-sac design within a residential subdivision. A request to increase the fill on this parcel to 59 inches is due in part to the natural grade of the site that generally slopes at 5% to the east toward Conquistador Street from the western property line. This creates

a 7 foot retaining condition at the rear of the lots that load onto Conquistador Street and the rear of the lots on the eastern side of the hammerhead.

A hammerhead street design is requested for use in this development due to the reduced pavement required within the subdivision. Parking is not allowed past the curb return of the hammerhead; however, the proposed lots in this subdivision provide ample parking within the attached garages as well as space in the driveway for other vehicles.

The applicant is also requesting a waiver for increased combined retaining and screen wall heights for a maximum of 12 feet. The applicant has stated the adjacent existing residential property to the north is higher in elevation. Lot 20 of the proposed subdivision is currently 5 feet lower in elevation to the residential development to the north.

Another waiver associated with this application is a request to eliminate required street landscaping with a detached sidewalk along Conquistador Street. The applicant believes that the front yard landscaping will achieve the aesthetic value intended by the Code.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, & East	Mid-Intensity Suburban Neighborhood (8 du/ac)	R-2	Single family residential
South	Open Lands	R-E	Undeveloped

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

Related Applications

Application Number	Request
VS-23-0685	A vacation of government patent easements is a companion item on this agenda.
TM-23-500140	A tentative map for a 20 lot subdivision 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

Comprehensive Planning

Zone Change

This site is designated as Residential Medium in the Enterprise Land Use Plan. The proposed project will have a density of 8 dwelling units per acre. Staff finds this request conforms to the Master Plan and is appropriate for the area; therefore, supports the zone change. The zone change request complies in part with Policy EN-1.1. Neighborhood integrity to preserve the continuous and uniform neighborhoods that encourage compatible in-fill development and with

Policy 1.1.1: mix of housing types, whereby diverse housing types at varied densities and in numerous locations is encouraged. Staff can support this 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 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 does not object to the increase in the combined height of the retaining and screen walls as the impact will only be seen by the purchasers of the proposed lots.

Waiver of Development Standards #2

Staff finds the request to allow an attached sidewalk with typical front yard landscaping along Conquistador Street is a self-imposed hardship. Although other lots along Conquistador Street were developed with attached sidewalks, which was in compliance with Code at the time, staff finds that the changes to Code promote pedestrian safety and an enhanced streetscape; therefore, compliance is necessary.

Design Review #1

The design of the subdivision is compatible with approved and planned land uses in this area as it is consistent in density as the adjacent R-2 zoned subdivision surrounding the subject parcels. The proposed subdivision and single family residences are consistent with the standards of approval for a design review. For example, the layout of the subdivision, site access, and circulation will not negatively impact adjacent roadways. However, staff is not recommending approval of the waiver for detached sidewalks and street landscaping and the design review for the hammerhead street; therefore, staff cannot support the design review of the subdivision as presented.

Design Review #2

Staff finds that there are no constraints on the property that would cause a hammerhead street design to be required in lieu of a radius cul-de-sac. Without any compelling reason as to why the hammerhead is needed, staff cannot support the request.

Public Works - Development Review

Design Review #3

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.

Staff Recommendation

Approval of the zone change, waiver of development standards #1, and design review #3; denial of waiver of development standards #2 and design reviews #1 and #2.

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**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 final zoning inspection.
- Applicant is advised that 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; and that the waivers of development standards and design reviews must commence within 4 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;
- Right-of-way dedication to include 35 feet to the back of curb for Gomer Road, 30 feet for Conquistador Street and associated spandrel.
- Applicant is advised 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; and 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.

TAB/CAC: Enterprise - approval of the zone change reduced to R-1; denial of waivers of development standards and design reviews.

APPROVALS:

PROTESTS:

APPLICANT: LARRY BITTON

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