

10/04/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

FRIAS AVE/CAMERON ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0443-ROOHANI KHUSROW TRUST & ROOHANI KHUSROW TRS:

ZONE CHANGE to reclassify 5.0 acres from an R-E (Rural Estates Residential) Zone to an RUD (Residential Urban Density) Zone.

USE PERMIT for a residential Planned Unit Development (PUD).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** intersection off-set; **2)** alternative street design; **3)** alternative private street sections; and **4)** setbacks.

DESIGN REVIEWS for the following: **1)** a detached single family residential Planned Unit Development; and **2)** finished grade.

Generally located on the northwest corner of Frias Avenue and Cameron Street within Enterprise (description on file). JJ/sd/syp (For possible action)

RELATED INFORMATION:

APN:

177-30-301-018; 177-30-301-022

USE PERMIT:

A detached single family residential Planned Unit Development.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the intersection off-set to 102 feet where 125 feet is the standard per Uniform Standard Drawing 222.1 (an 18% reduction).
2. Allow street configuration to exclude knuckle design where required per Uniform Standard Drawing 211.1.
3. Reduce the modified street section to 30 feet where 37 feet with R-Type curb is the standard per Uniform Standard Drawing and Section 30.52.030 (a 23% increase).
4.
 - a. Reduce the required front living area setback to 8 feet where 10 feet is required per Table 30.40-2 (a 20% reduction).
 - b. Reduce the required front porch setback to 5 feet where 10 feet is required per Table 30.40-2 (a 50% reduction).
 - c. Reduce the required rear living area setback to 2 feet where 15 feet is required per Table 30.40-2 (an 87% reduction).
 - d. Reduce the required rear setback for architectural features (eave) to 1 foot where 3 feet are required per Table 30.40-2 (an 67% reduction).

- e. Reduce the required setback for a garage to 5 feet where 15 feet is required per Table 30.40-2 (a 67% reduction).

DESIGN REVIEWS:

1. Planned Unit Development for detached single family residential homes.
2. Increase finished grade to 44 inches where a maximum of 36 inches is the standard per Uniform Standard Drawing 222.1 (a 22% increase).

LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 46 (residential units)/4 (common lots)
- Density (du/ac): 9.2
- Minimum/Maximum Lot Size (square feet): 1,836/3,564
- Project Type: Planned Unit Development
- Number of Stories: 3
- Building Height (feet): Up to 35
- Open Space Required/Provided: 11,572/40,662
- Parking Required/Provided: 121/92

Site Plans

The plans depict a Planned Unit Development for a detached single family residential subdivision with 46 units and 4 common lots. Access to the proposed development is from Cameron Street and will have interior private drives that are 30 feet wide to accommodate fire and utility access. The project will not be gated and will include 1 point of access from the east along Cameron Street. Perimeter public streets include Cameron Street, which is a 30 foot wide half street with an attached 5 foot wide sidewalk; Ullom Street, which is a 30 foot wide half street right-of-way with attached 5 foot sidewalks; and Frias Avenue, which is a 30 foot wide half street right-of-way with an attached 5 foot wide sidewalk. Resident parking will be provided through 2 car garages and includes a separate parking lot for visitor parking as on-street parking will be prohibited.

The plans depict the following setbacks (in feet) and are being requested through a use permit and include the following:

- Front (living): 8
- Front (porch): 5
- Rear (garage): 5
- Rear (living): 2
- Rear (eave): 1
- Interior side: 5
- Side (corner): 10

Landscaping

The plans depict landscape areas and open spaces located mainly along Frias Avenue with a trail pathway and is primarily desert landscaping with 24 inch box large trees and various shrubs and groundcover. Landscaping is also shown along Cameron Street with 6 foot wide areas and along the north parcel line and western parcel line adjacent to Ullom Street.

Elevations

The plans depict 2 elevation styles and range up to 3 stories high and have rear loaded garages with 5 foot wide driveways. The elevations show exterior materials with a vertical scored and stucco finish, concrete flat tile with pitched rooflines. Architectural enhancements include window and door fenestration, roll-up garage door, and color schemes.

Floor Plans

The floor plans depict units with bedrooms, kitchen, great room, bonus room, porch, and 2 car garages, and range in size from 1,660 square feet to a maximum floor area of 2,375 square feet.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states this request is to re-zone this existing residential property to allow for an RUD Planned Unit Development for 46 units and common areas. The proposed residential subdivision is approximately 5 gross acres with 46 single family residential dwelling units, resulting in a density of 9.2 dwelling units per gross acre. This request conforms to the planned land uses designated for this site in the Enterprise Land Use Plan. Additionally, the waivers of development standards and use permits are necessary and will not create any negative impacts.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential & undeveloped
South	Compact Neighborhood (up to 18 du/ac) & Public Use	R-4 & R-E	Undeveloped
West	Corridor Mixed-Use	C-2	Commercial retail

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

Related Applications

Application Number	Request
VS-22-0444	A request to vacate and abandon patent easements and right-of-way is a companion item on this agenda.
TM-22-500159	A tentative Map for a 46 unit single family detached residential 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

Current Planning

Zone Change

The conforming zone boundary amendment is within the range of residential densities anticipated for this site by the Enterprise Land Use Plan. While RUD zoning will allow a density up to 14 dwelling units per acre, this density is still compatible with the adjacent R-2 zoning, which allows up to 8 dwelling units per acre, and the applicant's proposed development and zone change will allow up to 9 dwelling units per acre. As a result, the proposed RUD zoning district is compatible with the adjacent existing and planned land uses, and staff can support the request.

Use Permit

A use permit is a discretionary land use application that is considered on a case-by-case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

A Planned Unit Development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhance residential amenities. The design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. 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 #4

The intent of setbacks is to ensure a minimum distance and buffer is maintained between each detached unit to mitigate any potential impacts. This request includes reduction in setbacks to as little as 2-feet. The reduction of required setbacks can create potential impacts to both the residential development and the immediate area. Staff finds the project site is being overbuilt with undersize lot areas and is not an appropriate development between the existing single family residential developments to the east; therefore, staff recommends denial of waiver of development standards #4.

Design Review #1

Although the varying roof slopes and other architectural features for the residential models will create an aesthetically pleasing design with the development, the design of the subdivision is contingent upon approval of the waivers of development standards and the remaining design reviews. Staff is concerned with the configuration of the open space that is primarily located along Frias Avenue where children cannot play due to existing power easements. The goal of any PUD is to provide community open space that is available to all residents. The proposed configuration of the open space is not practical and is partially isolated from the development. As a result, the residents of this proposed PUD development do not have direct access to the open space as designed and/or intended per Title 30. Staff believes the proposed open spaces as shown on the plans does not provide a safe environment to play due to existing electrical lines and lack of any playground equipment. Staff cannot support the design review request as submitted by the applicant.

Public Works - Development Review

Wavier of Development Standards #1

Staff has no objection to the request to reduce the street intersection off-set between Frias Avenue and Private Access Drive A. The proposed 46 lot subdivision should see a low volume of traffic.

Wavier of Development Standards #3

Staff has no objection to the reduced street width of the private streets if Fire Prevention approves the request.

Wavier of Development Standards #2

Staff has no objection to allowing elbows instead of knuckles for the internal private streets if Fire Prevention approves the request.

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.

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, use permit, waivers of development #1, #2, #3, and design review #2; denial of waiver of development standards #4 and design review #1.

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:

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;
- 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 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 use permit, 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Cameron Street, 30 feet for Frias Avenue, and associated spandrel;
- Clark County Fire Prevention approval of reduced street widths and street elbows.

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 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 #0307-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of the zone change; denial of the use permit, waivers of development standards, and design reviews (2 or more ingress/egress points to property).

APPROVALS:

PROTESTS:

APPLICANT: KB HOME LAS VEGAS

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST, BOSTON, MA 02116