

02/07/24 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

UPDATE
PEBBLE RD/REDWOOD ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-23-0565-JJJ LIVING TRUST ETAL & FAYEGHI SEAN SHAHRIAR & CAROLINE
TRS:**

HOLDOVER ZONE CHANGE to reclassify 2.5 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-1 (Single Family Residential) Zone.

DESIGN REVIEW for a single family residential development.

Generally located on the north side of Pebble Road, 330 feet west of Redwood Street within Enterprise (description on file). JJ/rr/syp (For possible action)

RELATED INFORMATION:

APN:

176-14-401-015

PROPOSED LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots/Units: 12
- Density (du/ac): 4.8
- Minimum/Maximum Lot Size (square feet): 5,202/7,173
- Project Type: Single family residential subdivision

Site Plan

The plan depicts a future 12 lot single family residential subdivision on the subject site. The proposed lots range from a minimum of 5,202 square feet to a maximum of 7,173 square feet. The average lot size is 5,402 square feet. All lots will be accessible from a 38 foot wide public street with a cul-de-sac bulb featuring a 5 foot wide sidewalk on both sides of the street. This street is proposed to connect to Pebble Road. Two common elements are indicated along Pebble Road and at the intersection with the proposed new public street.

Landscaping

A 5 foot wide detached sidewalk is depicted on Pebble Road with 5 foot wide landscape areas on each side of the sidewalk consisting of trees per Figure 30.64-17. A proposed 6 foot CMU wall is proposed along the rear property line of the future residential lots that will abut Pebble Road. Large trees have been provided every 20 feet within a 5.5 foot landscape area along the north and east property lines.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting to rezone the subject parcel from R-E (RNP-I) to R-1 to facilitate the future development of the property with a 12 lot single family subdivision. A land use amendment is requested concurrently to support the zone change. The subject parcel abuts properties zoned R-2 (Medium-Density Residential) to the south and C-1 (Local Business) to the west. The increased density of recent development in the area warrants the request to rezone the subject parcel.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0631-17	Vacated and abandoned easements of interest	Approved by BCC	November 2017
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
South	Corridor Mixed-Use	R-2	Single family residential
West	Neighborhood Commercial	C-1	Mini-warehouse facility

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

Related Applications

Application Number	Request
PA-23-700026	A plan amendment to redesignate the land use category from RN (Ranch Estate Neighborhood) to LN (Low Intensity Suburban Neighborhood) is a companion item on this agenda.
VS-23-0566	A request to vacate and abandon patent easements 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

The proposed zone change to R-1 will require approval of a concurrent plan amendment to redesignate the subject site from RN (Ranch Estate Neighborhood) to LN (Low Intensity Suburban Neighborhood) so that the requested zone change may be in conformance to the Master Plan. The property is currently located in a Residential Neighborhood Preservation (RNP-I) Overlay District. In accordance with Section 30.48.190.a, property within an RNP-I shall be maintained as a low-density residential development, not to exceed an overall density of 2 dwelling units per acre. Policy 1.5.1 in the Master Plan supports the protection of existing Rural Preservation Neighborhood (RPN) areas as defined by NRS §278. The proposed plan amendment and zone change would increase the density of the subject property to 5 du/ac. Section 30.48.190.c also states that the Board, may for good cause shown, allow a greater density or intensity of use when less than 330 feet from an RNP. There is greater residential density south of Pebble Road which is zoned R-2 with up to 8 du/ac. However, the area immediately north and east of site is an established single family neighborhood zoned R-E and preserved with the RNP-I overlay. A zone change to allow greater residential density may not serve to protect the abutting rural neighborhood areas. Therefore, staff cannot support the zone change request.

Design Review

The site plan provides the general layout of a future residential subdivision on the subject site. A tentative map has not been prepared at this time. The applicant also states that the future homes will be custom built and have not yet been designed. Therefore, there are no floor plans or elevations available to review. The proposed lot sizes and dimensions shown on the site plan appear to be in accordance with R-1 standards. The lots appear to be wide and deep enough to accommodate a typical residence and still meet setback requirements, although it's unclear if two story homes are contemplated which could further impact the views and privacy of adjoining single-story residential areas. Although landscaping has been provided along the north and east property lines to mitigate the impact of the more intense residential use to the adjacent properties, because the zone change request is not being supported, staff cannot support the design review.

Staff Recommendation

Denial. This item has been forwarded to the Board of County Commissioners 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.

STAFF CONDITIONS:

Comprehensive Planning

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Only 1 story homes within the development;
- 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 design review must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Right-of-way dedication to include 45 feet to the back of curb for Pebble Road;
- **30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;**
- **90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.**
- Applicant is advised 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.

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 #0127-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS: 1 card

PROTESTS: 9 cards, 1 letter

PLANNING COMMISSION ACTION: October 17, 2023 – HELD – To 11/07/23 – per the Planning Commission.

PLANNING COMMISSION ACTION: November 7, 2023 – HELD – To 11/21/23 – per the applicant.

PLANNING COMMISSION ACTION: November 21, 2023 – DENIED – Vote: Unanimous
Absent: Frasier

COUNTY COMMISSION ACTION: December 20, 2023 – HELD – To 01/17/24 – per the applicant.

COUNTY COMMISSION ACTION: January 17, 2024 – HELD – To 02/07/24 – per the applicant.

APPLICANT: SEAN FAYEGHI

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