

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

PATRICK LN/TOMSIK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-23-0122-PN II, INC.

ZONE CHANGE to reclassify 9.5 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

USE PERMIT for a Planned Unit Development (PUD).

WAIVER OF DEVELOPMENT STANDARDS to reduce right-of-way width dedication.

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

Generally located on the north side of Patrick Lane and the east side of Tomsik Street within Spring Valley (description on file). MN/jor/syp (For possible action)

RELATED INFORMATION:

APN:

163-33-201-018

USE PERMIT:

Allow a detached single family planned unit development.

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the right-of-way width dedication of Tomsik Street to 48 feet where 60 feet is required per Section 30.52.030 (a 20% decrease).

DESIGN REVIEWS:

1. Planned Unit Development for detached single family homes.
2. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Uniform Standard Drawing 222.1 (a 33% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 9.5
- Number of Lots: 95
- Density (du/ac): 9.9

- Minimum/Maximum Lot Size (square feet): 3,244 (gross/net)/3,833 (gross/net)
- Project Type: Planned Unit Development for single family detached residences
- Number of Stories: 2 and 3
- Building Height (feet): 35 maximum
- Square Feet: 2,255 (minimum)/3,074 (maximum)
- Open Space Required/Provided: 0.5 acres/0.6 acres

Site Plans

This is a conforming zone change request from R-E zoning to R-2 zoning for a single family detached Planned Unit Development (PUD). The plans depict a residential development consisting of 95 lots on 9.5 acres with a density of 9.9 dwelling units per acre. The minimum and maximum lot sizes are 3,244 square feet and 3,833 square feet. The overall square footage for Lots 65 thru Lot 86 are below 3,300 square feet, which is the minimum lot size for the R-2 zoning district. Furthermore, the development will offer 0.6 acres of open space where 0.5 acres is required per Title 30. The open space areas will feature amenities such as, but not limited to, benches, dog waste stations, and pedestrian walkways.

Access to the site is provided via 1 private street between the southernmost property line along Patrick Lane, and the northernmost property line (Oquendo Road). In addition, Lots 1 thru Lot 31 on the west side of the development will face westward and residents will have access to these lots via Tomsik Street. Lots 32 thru Lot 95 and the centrally located open spaces (Common Lots A and B) will be accessed via the private street that is 43 feet wide on the eastern half of the subject parcel. The private street will have a 5 foot wide sidewalk on the east side of the street. In addition, pedestrian access is available for the open spaces via Tomsik Street. Immediately east of the subject parcel is a future Regional Flood Control District facility, approximately 205 feet west of Cimmaron Road. The applicant will install a protective wall along the easternmost perimeter wall to comply with Section 30.56.040(C)(#2).

Per Title 30, many of the development standards for planned unit developments are established by a use permit process based on the plans that are approved for the project by the Board of County Commissioners. The minimum setbacks for each of the single family units are as follows:

- Front garage – 20 feet
- Front portion of the residence – 10 feet
- Interior side setback – 5 feet
- Rear building setback – 15 feet
- Rear patio cover setback – 3 feet
- Corner – 10 feet
- Minimum lot size (square feet): 3,244 square feet

The submitted plans show that the applicant will reduce the building setback for rear patio covers from project perimeters to 3 feet where a minimum of 10 feet is recommended within Planned Unit Developments (PUD). This would affect the parcels along the easternmost property line only, and the rear yards face eastward toward the Clark County Regional Flood Control facility and are not abutting residences.

Lastly, the applicant is also showing a 4 foot retaining/6 foot screen wall as a part of the proposed protective wall as required by Public Works since there is a future Regional Flood Control facility to the west. The location of the 4 foot retaining/6 foot screen wall is along the perimeter of the easternmost property line of the development. There are no residences to the west, and this wall will support site drainage and increased finished grade requirements.

Landscaping

The plans depict detached sidewalks to be provided along Patrick Lane and Oquendo Road, and an attached sidewalk along Tomsik Street since this right-of-way will be reduced to be 48 feet wide. The proposed project will offer 0.6 acres (26,136 square feet) of open space within Common Lots A and B, where 0.5 acres (23,659 square feet) is required per Title 30. The open space areas will feature amenities such as, but not limited to, benches, dog waste stations, and pedestrian walkways.

Elevations

The elevation plans depict 7 total model residences; 2 plans are for 2 story residences; and 5 plans are for 3 story model homes with multiple elevation designs with a maximum building height of 35 feet. The proposed models depict stucco exterior walls, pitched roof styles, stucco pop-outs, and stone veneer. Balcony options will be featured on the front and rear elevation of the second and third story of some of the model residences.

Floor Plans

The floor plans depict 7 floor plans with area ranging between a minimum of 2,255 to a maximum of 3,074. The floor plans include bedrooms, bathrooms, balconies, a den, kitchen areas, and 2 car garages.

Applicant’s Justification

The applicant is applying for a special use permit to allow for a Planned Unit Development (PUD), which will allow for 10 units per acre and the applicant is proposing 95 single family units on 9.5 gross acres, which is a density of 9.9 dwelling units per acre. Currently, the site is zoned R-E with a Land Use of Mid-Intensity Suburban Neighborhood, which allows up to 10 dwelling units per acre with a PUD. The applicant is proposing an R-2 PUD development, which is conforming to the current land use plan, and the proposed density is below 10 dwelling units per acre. The property is located on the north side of Patrick Lane, the south side of Oquendo Road, east of Tomsik Street and west of a future Regional Flood Control District facility. The design review is being requested to increase the finished grade over the maximum 36 inches allowed by Title 30. The current site is constrained by existing roadways on 3 of the 4 sides, and in order to provide positive drainage the site will have areas that require a maximum fill depth of 4 feet (48 inches). The proposed development is harmonious to the surrounding R-2 residences to the north and to the west.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	P-F & R-2	Single family residential, undeveloped, and future Regional Flood Control District facility

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
South	Business Employment	M-D	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-E	Future Regional Flood Control District facility & undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

Related Applications

Application Number	Request
VS-23-0123	A request to vacate and abandon portions of rights-of-way being Patrick Lane, Oquendo Road, and Tomsik Street is a companion item on this agenda.
TM-23-500024	A tentative map for 95 lots and 6 common elements for a Planned Unit Development 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 applicants request to reclassify the subject parcel from R-E zoning to R-2 zoning is consistent to the existing R-2 zoned single family residential developments to the north, east, and west. This request is also a conforming zone change and is compatible to the approved land uses in the area. Staff supports this request.

Use Permit and Design Review #1

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 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 residential amenities. The plans show that Lots 32 thru Lot 95 face one another toward a private street oriented north to south, which creates a canyon like effect. However, the applicant implemented a centrally located open space area which is accessible via pedestrian access from Tomsik Street and via the private street. The location of the open space helps break the transition of consecutive residences along 1 street. Aside from implementing dog waste stations, walking paths, and benches within the open space, staff recommends that the applicant provide a tot lot with shade structures within the open spaces so that these areas can be fully utilized by the residents, which helps promote an area for neighbors to connect and provide a safe recreational space.

Lots 1 thru Lot 31 face existing R-2 zoned single family residences and Tomsik Street to the west. Staff finds that developing the subject parcel will allow for street improvements along Tomsik Street which include an attached sidewalk and promotes pedestrian safety. Furthermore, the proposed single family home interior side yard, corner side yard, and front yard setbacks are comparable to existing residences to the north, west, and east (adjacent to Cimmaron Road). Staff supports these requests.

Public Works - Development Review

Waiver of Development Standards

Staff has no objection in the reducing Tomsik Street from a 60 foot right-of-way to a 48 foot right-of-way as Tomsik Street ends to the north and south of the site.

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.

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

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide a tot lot with shade structures within the open space areas;
- No roof top decks;
- 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 use permit, waiver 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;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Flamingo, Cimarron Branch 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.

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.

Fire Prevention Bureau

- No comment.

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 #0113-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC

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