

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0101-COUNTY OF CLARK (AVIATION):

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** waive Neighborhood Protection (RNP) Overlay standards; and **3)** waive full off-site improvements.

DESIGN REVIEW for a single-family residential development on 7.85 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) and Airport Environs (AE-60) Overlays.

Generally located north of Warm Springs Road and east of Valley View Boulevard within Enterprise. MN/mh/kh (For possible action)

RELATED INFORMATION:

APN:

177-05-401-007; 177-05-401-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce front yard setback to 10 feet where 20 feet is required per Section 30.02.04B (a 50% reduction).
2. Allow the front setbacks for primary structures to not be in accordance with the RS20 district standards and allowable exceptions where required per Section 30.02.26F.
3.
 - a. Waive partial off-site improvements (streetlights) along Capovilla Avenue where required per Section 30.04.08C.
 - b. Waive partial off-site improvements (streetlights) along Procyon Street where required per Section 30.04.08C.
 - c. Waive full off-site improvements (curb, gutter, detached sidewalks, streetlights, and partial paving) along Warm Springs Road where required per Section 30.04.08C.
 - d. Waive full off-site improvements (curb, gutter, detached sidewalks, streetlights, and partial paving) along Valley View Boulevard where required per Section 30.04.08C.

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.85

- Project Type: Single-family residential development
- Number of Lots/Units: 15
- Density (du/ac): 1.91
- Minimum/Maximum Lot Size (square feet): 20,070/27,723 (gross); 16,375/23,800 (net)
- Number of Stories: 1 & 2 (single-family residences)/1 (detached RV garage)
- Building Height (feet): 18 to 30 (1 story)/31 (2 story)/21 (detached RV garage)
- Square Feet: 3,488 to 4,266 (1 story)/4,807 to 4,938 (2 story)/1,000 (detached RV garage)

Site Plans

The plans depict a proposed 15 lot single-family detached residential development located north of Warm Springs Road and east of Valley View Boulevard. The overall site is 7.85 acres with a density of 1.91 dwelling units per acre. Access to the subdivision is from Capovilla Avenue to the north, with two, 38 foot wide private streets running north to south through the proposed subdivision. Both private streets terminate in cul-de-sacs and all lots will face into and be accessed from the private streets. Lots 1 through 8 are accessed via the western private street, while Lots 9 through 15 are accessed via the eastern private street. Detached sidewalks are proposed along Procyon Street and Capovilla Avenue, where no sidewalks or other off-site improvements are proposed along Warm Springs Road and Valley View Boulevard. Additionally, 6 foot high decorative screen walls are proposed around the perimeter of the subdivision and will not extend into the front setbacks of the lots along Capovilla Avenue.

A waiver to reduce the front setback to 10 feet is required for the accessory living quarters associated with Models 7034-1 and 7034-2. Additionally, Model 7040-1 requires a waiver to reduce the front setback to 10 feet and to allow the primary structure front setback to not be in accordance with the RS20 district standard of 20 feet.

Landscaping

The plans depict street landscape areas along Warm Springs Road and Valley View Boulevard, consisting of large trees, shrubs, and groundcover. The plans also depict street landscape areas along Capovilla Avenue and Procyon Street, featuring landscape strips with large trees, shrubs, and groundcover on both sides of the proposed detached sidewalks. All trees are planted 30 feet apart on center in accordance with Title 30 standards.

Elevations

The plans depict 1 to 2 story model homes with heights measuring from 18 feet to 31 feet. The proposed models consist of varying rooflines with a pitched, concrete tile roof, stucco siding, decorative trim, and other architectural features including recessed windows, multiple offset front facades, stone veneer, scored stucco lines and window perimeter stucco wraps. The detached RV garage measures up to 21 feet in height and is designed with a pitched, concrete tile roof. The exterior of the RV garage includes recessed windows (side elevations), a stucco exterior, and stone veneer (front elevation).

Floor Plans

The proposed single-story floor plans measure between 3,488 square feet and 4,266 square feet, and consist of multiple bedrooms, game room, den, kitchen, foyer area, laundry room, and bathrooms with a 2 car garage and an attached 1 car garage (side-loaded). The single-story

models also feature attached accessory living quarters, measuring between 247 square feet and 253 square feet in area. The models also feature a covered patio. The accessory living quarters are connected to the primary structure via a decorative wall/entryway and are considered part of the primary structure for the purpose of development standards. The proposed 2 story floor plans measure between 4,807 square feet to 4,938 square feet, and feature multiple bedrooms, game room, den, kitchen, foyer area, laundry room, gathering room, owner's suite, and bathrooms with a 2 car garage and an attached 1 car garage (side-loaded). The models also feature a covered patio. The single-story, detached RV garage measures 1,000 square feet in area and consists of an open floor plan.

Applicant's Justification

The applicant states that the proposed single-family residential models consist of multiple offset front facades and roof masses, including hip and flat parapet walls. Scored stucco lines, window perimeter stucco wraps, and stone veneer on multiple front facades. The new residential models consist of 5 different floor plans with 3 different elevations per plan. The setback reductions are necessary to accommodate the proposed models. Capital Improvement Project L-2289 will install full off-site improvements along Warm Springs Road and Valley View Boulevard, while off-site improvements, with the exception of streetlights, are proposed for Capovilla Avenue and Procyon Street.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0009-12	Waiver to allow an overhead communication line on existing utility structures	Approved by PC	March 2012
ZC-1026-05	Zone change from R-E to R-E (RNP-I) for several parcels within Enterprise	Approved by BCC	October 2005
ZC-2093-98	Zone change from R-E to C-P, use permit for a bank building, and variance for building height	Approved by BCC	March 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped
East & South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP & AE-60)	Single-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

Related Applications

Application Number	Request
VS-26-0102	A vacation and abandonment of rights-of-way is a companion item on this agenda.

Related Applications

Application Number	Request
TM-26-500026	A tentative map for a single-family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

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.

Waivers of Development Standards #1 & #2

Staff finds the request to reduce the front yard setback a self-imposed hardship. The proposed single-family residences already receive the benefit of a 20-foot front setback since the homes are adjacent to private streets. Several of the models take advantage of the Title 30 exception allowing up to an additional 12 foot reduction to the front setback for 50% of the primary structure width up if enhanced decorative features are provided, such as bay windows or stucco pop-outs. The 3 model homes associated with these waiver requests can be redesigned to meet the requirements of Title 30, thereby eliminating the waiver request. These requirements are particularly important within the Neighborhood Protection Overlay as front setbacks help preserve an open, rural character. Therefore, staff cannot support these waivers of development standards.

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.

Staff finds the architecture and design of the proposed model homes comply with Master Plan Policy EN-1.1 (Neighborhood Integrity) and Policy EN-1.2 (Ranch Estate Neighborhoods) that encourage preserving the integrity of uniform neighborhoods and compatible in-fill development. However, since staff is not supporting the associated waivers of development standards, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #3a & #3b

Staff cannot support the request to not install streetlights on Capovilla Avenue and Procyon Street. Streetlights not only provide safety for motorists, but they also assist in improving security. Additionally, staff finds that with new technology, the light pollution from the streetlights can be mitigated so that the light does not impede into the adjacent parcels.

Waiver of Development Standards #3c & #3d

Staff cannot support this request as future plans with full off-site improvements to be installed have been proposed to fully develop this area. Additionally, historical events have demonstrated how important off-site improvements are for drainage control. Full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

Denial.

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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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; 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;
- Full off-site improvements except for streetlights along Capovilla Avenue and Procyon Street;
- Off-site improvements to include curb, gutter, sidewalks, and streetlights on Warm Springs Road and Valley View Boulevard;
- Off-site improvements to include conduit and pull boxes for streetlights on Capovilla Avenue and Procyon Street;
- 30 days to coordinate with Public Works - Design Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Warm Springs Road improvement project;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- 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 devices;
- Applicant to coordinate a contribution with Public Works - Development Review for paving improvements on Warm Springs Road and Valley View Boulevard.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation. The Determination of No Hazard must not be expired.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations

will be needed for construction cranes or other temporary equipment; 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.

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 #0431-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of waivers of development standards #1 (limited to 50% of the lots) #2, #3a, and #3b and the design review; denial of waiver of development standards #3c and #3d (single-story homes abutting established single-story homes; delete Public Works conditions #3 and #5; add Public Works conditions: Capovilla Avenue and Procyon Street to follow Neighborhood Protection Overlay standards; and provide a 5 foot asphalt path along Capovilla Avenue and Procyon Street).

APPROVALS:

PROTESTS:

APPLICANT: P N II, INC.

CONTACT: KRISTIN ESPOSITO, 1555 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146