

01/18/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

UPDATE
FORT APACHE RD/HAMMER LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0484-CENTURY COMMUNITIES NEVADA, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** reduce net lot area; **3)** reduce setbacks; and **4)** establish alternative yards.

DESIGN REVIEWS for the following: **1)** single family residential subdivision; and **2)** finished grade on 1.89 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Fort Apache Road and the south side of Hammer Lane within Lone Mountain. RM/sd/syp (For possible action)

RELATED INFORMATION:

APN:

125-32-201-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of a combination screen wall/retaining wall to 10 feet (6 foot screen wall with a 4 foot retaining wall) where a maximum height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (a 33.3% increase).
2. Reduce the net lot area to 16,173 square feet where 18,000 square feet is required per Table 30.40-1 (a 10% reduction).
3. Reduce the front setback to 25 feet where 40 feet is required per Table 30.40-1 (138% reduction).
4. Establish alternative yards for a proposed single family residential lot where yards are established per Chapter 30.56.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increase finished grade to 96 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 167% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.89
- Number of Lots: 3
- Density (du/ac): 1.59
- Minimum/Maximum Lot Size (square feet): 16,173/32,781 (net)/20,038/40,730 (gross)
- Number of Stories: 1
- Building height (feet): 20
- Square feet: Up to 6,120

Site Plans

The plans depict a single family residential development situated on a 1.89 acre site consisting of 3 residential lots with a density of 1.59 dwelling units per acre. Access to the subdivision is by way of a 40 foot wide private street with a cul-de-sac from Hammer Lane. Lot 1 is located on the western side of the subdivision, between Fort Apache Road and the private cul-de-sac, and Lots 2 and 3 are located to the east of the cul-de-sac. The minimum net lot sizes of the eastern lots are 16,173 square feet and 16,306 square feet, which is less than the required minimum net lot area of 18,000 square feet. The layout of the proposed subdivision includes an alternative yard for the parcel located on the northeast corner of the subdivision, Lot 2. The residence is oriented to the south, which establishes the rear yard on the north side of the lot, along Hammer Lane. The reduction to the front yard setback to 25 feet is for Lot 2. The front yard is facing the southern property line, which requires a 40 foot setback per Code. The increase in grade and the retaining wall are shown along the southern portion of the subdivision.

Landscaping

The plans depict 6 feet of landscaping along the property line of Fort Apache Road. There is a detached sidewalk within the right-of-way of Fort Apache Road. A 6 foot wide landscape area is proposed along the property line of Hammer Lane and along portions of the proposed private street. Landscaping includes shrubs, groundcover and 24 inch box trees.

Elevations

The plans depict 1 story detached single family residences with a maximum height of 20 feet with pitched rooflines. Exterior finishes include stucco, iron accents, concrete tile roof, roll-up garage doors, and glazed windows.

Floor Plans

The floor plans for the proposed subdivision include bedrooms, kitchen, den, bathroom, utility room, and garage ranging from 3,000 square feet to 3,700 square feet.

Applicant's Justification

The applicant states the project parcel is located within an R-E (Rural Estates Residential) zone with RNP-I (Rural Neighborhood Preservation) overlay district and the proposed development generally complies with all applicable provisions of the Clark County Development Code, Title

30 standards, and the goals of the Land Use Plan. The use is compatible with adjacent uses in terms of scale, site design, and operating characteristics. The increase in grade request is necessary to direct storm runoff around habitable structures and provide adequate flood protection. Additionally, the larger fill height is necessary to provide the standardized vertical cover for the proposed sewer.

The reduction in the front setback will provide the developer with flexibility to propose a wider variety of architectural model options. Additionally, because the proposed lots are within a cul-de-sac away from the public roadway traffic, the reduced setback is considered acceptable from a noise and traffic safety perspective. The request for a change in the standard house orientation is a result of Lot 2 being designed to face southwards due to the lot being greater in depth from north to south rather than east to west. This orientation allows the model to fit and negates having to request a larger setback waiver should the model have faced westwards. Also, the ability to provide vehicular access through the cul-de-sac, rather than fronting Hammer Lane, increases traffic safety by establishing ingress and egress off the less traveled street.

The reduction in net lot area is due in part to Lot 2 being encumbered by the private street easement, landscape easements along the north and west, and a utility easement off-set 5 feet from the back of curb. Lot 3 is encumbered by the private street easement, private drainage easements to the west, south, and east, and the utility easement. These easements are necessary to provide access to the lots as well as positive drainage.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-22-0119	Reclassified from R-E (RNP-I) to R-E zoning with use permits for a PUD and reduced setbacks; waivers for reduced lot area for PUD, increased wall height, and off-site improvements; design reviews for detached single family development & increased grade	Denied by BCC	May 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Current Planning

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 finds that the proposed retaining wall height increase will have minimal impact on the multiple family residential properties to the north and east; therefore, staff can support this request.

Waiver of Development Standards #2

A review of the plans depicting Lots 2 & 3 with reduced net lot area does not comply with Code and in part Lone Mountain Policy LM-1.4 whereby the intent is to maintain and protect the character of existing Ranch Estate Neighborhoods by discouraging the development of lots less than 20,000 square feet. Furthermore, the Lone Mountain Interlocal Agreement – Planning Area 1 recommends a goal of a minimum of 18,500 square foot net lots. Therefore, staff cannot support this request.

Waivers of Development Standards #3 and #4

Staff finds that the alternative yard for Lot 2 will not have any adverse effects on the overall development including the traffic circulation patterns. The proposal to rotate the home 90 degrees is intended to allow the residence to have a better fit on the parcel, but in fact a waiver is still required because the proposed front yard is now from the southern property line and only a 25 foot setback can be met. While staff does not normally support a self imposed hardship, the 25 foot setback is greater than the 10 foot side setback required if the standard yards applied. However, since staff does not support waiver of development standards #2 or the design review, staff does not support these requests.

Design Review #1

Staff cannot support the design review as shown due to staff recommendations of denial for the reduction in net lot area below 18,000 square feet. The proposed development is not compatible with the existing single family residential developments abutting the site and is in conflict with the County's adopted Master Plan and Interlocal Agreement.

Public Works - Development Review

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.

Staff Recommendation

Approval of waiver of development standards #1 and design review #2; denial of waivers of development standards #2, #3 and #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:

- 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 this application must commence within 2 years of approval date or it 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 the spandrel in the northwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, applicant is advised to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC: Lone Mountain - denial.

APPROVALS:

PROTESTS: 3 cards, 1 letter

COUNTY COMMISSION ACTION: October 4, 2022 – HELD – To 11/02/22 – per the applicant.

COUNTY COMMISSION ACTION: November 2, 2022 – HELD – To 12/07/22 – per the applicant.

COUNTY COMMISSION ACTION: December 7, 2022 – HELD – To 01/04/23 – per the applicant.

COUNTY COMMISSION ACTION: January 4, 2023 – HELD – To 01/18/23 – per Commissioner Miller.

APPLICANT: CENTURY COMMUNITIES

CONTACT: STRIVE ENGINEERING, 8912 SPANISH RIDGE AVE, STE 200, LAS VEGAS, NV 89148