

12/08/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT CACTUS AVE/TORREY PINES DR
(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0585-EPSTEIN DIANE LEE ROBERTSON FAMILY TRUST ETAL & EPSTEIN
DIANE LEE ROBERTSON TRS:**

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks.

DESIGN REVIEWS for the following: 1) single family residential development; and 2) finished grade on 6.5 acres in an RUD (Residential Urban Density) Zone.

Generally located on the northeast corner of Cactus Avenue and Torrey Pines Drive within Enterprise. JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-26-801-003; 176-26-801-004

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the rear yard setback for 1 lot to 10 feet where a minimum of 15 feet is required in the RUD zoning district per Table 30.40-2 (a 33.3% reduction).

DESIGN REVIEWS:

1. A single family residential development.
2. Increase finished grade to 30 inches (2.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 66.7% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 6486 W. Cactus Avenue
- Site Acreage: 6.5
- Number of Lots/Units: 49 residential & 2 common elements
- Density (du/ac): 7.5
- Minimum/Maximum Lot Size (square feet): 3,315/5,358
- Project Type: Detached single family residential development
- Number of Stories: 2

- Building Height (feet): 26
- Square Feet: 1,857 to 2,300
- Open Space Required/Provided: 0/43,038

Site Plans

The plans depict a detached single family residential development consisting of 49 lots with a density of 7.5 dwelling units per acre. There is an existing wash that divides the northern portion of the site from the majority of the proposed development. The plans indicate that the wash will be placed in a 42 foot wide drainage easement, which will be within 1 of the common elements of the subdivision. The plans show that 16 lots with access from Rush Avenue are located to the north of the drainage easement. The remaining 33 lots to the south of the drainage easement will be accessed by 48 wide public streets, which will include 5 foot wide sidewalks on both sides of the streets, that will be dedicated with the proposed subdivision. The entrance to this portion of the subdivision will be via Mann Street on the east side of the development. The plans show a pedestrian access to Cactus Avenue from this terminus of a proposed cul-de-sac within the development. The request for the rear yard setback is for 1 lot located at the northeast corner of the development. The plans show that the drainage easement curves to the north adjacent to lot 16 on the northeast corner of the site, causing the length of the lot to be reduced from the west to the east. The increase in the finished grade is for area along the existing wash to level the site.

Landscaping

The plan depicts minimum 15 foot wide landscape areas with detached sidewalks along Cactus Avenue and Torrey Pines Drive. A minimum 6 foot wide landscape area with an attached sidewalk is located along Mann Street. Landscaping along the public streets will consist of combinations of trees, shrubs, and groundcover. The common element located along the south side of the entrance of the development is approximately 15 feet wide and the plans depict a landscape area consisting of trees, shrubs, and groundcover.

Elevations

House plans include six, 2 story homes up to 26 feet in height. Each of the homes offer 3 distinct elevation options per plan that feature tile roofs, desert colors, some elevations will feature partial stone exteriors, and paver driveways.

Floor Plan

The homes range from 1,857 square feet up to 2,300 square feet in area. Each house will include a 2 car garage and a 2 car driveway with options for 3 to 5 bedrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed development is consistent and compatible with existing and planned land uses in this area. The proposed setback reduction is due to the configuration of a lot due to a drainage easement that will be established as part of this development and is only for a portion of the lot. The increase in finished grade is needed to level the site in order to provide proper drainage.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|---------------|
| ZC-18-0774 | Reclassified the site to RUD zoning for a single family residential development | Approved by BCC | December 2018 |
| VS-18-0772 | Vacated and abandoned patent easements and portions of Cactus Avenue and Torrey Pines Drive to allow for detached sidewalks | Approved by BCC | December 2018 |
| TM-18-500182 | 46 lot single family residential subdivision | Approved by BCC | December 2018 |

Surrounding Land Use

| | Planned land Use Category | Zoning District | Existing Land Use |
|--------------|---------------------------------------|------------------------|---|
| North & West | Public Facilities | R-E | Undeveloped |
| South | Residential High (from 8 to 18 du/ac) | RUD | Single family residential |
| East | Residential Suburban (up to 8 du/ac) | R-2 | Single family residential & undeveloped |

This site and the surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

Related Applications

| Application Number | Request |
|---------------------------|---|
| VS-21-0586 | A vacation and abandonment of easements and rights-of-way is a companion item on this agenda. |
| WC-21-400158 (ZC-18-0774) | A waiver of conditions of a zone change to provide pedestrian connections to Torrey Pines Drive is a companion item on this agenda. |
| TM-21-500161 | 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 meets the goals and purposes of Title 30.

Analysis**Current Planning**Waiver 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.

There is a substantial wash that goes through this site which will be placed in a drainage channel within a drainage easement as part of this development. The plans show the location of this channel/easement will reduce the length of a portion of 1 lot within the development, which effects the rear yard setback for the southeast corner of the lot. Staff finds that the existing wash/proposed drainage channel/easement are special circumstances creating a unique situation for this proposed development and can support the proposed setback reduction.

Design Review #1

The proposed development is consistent and compatible with existing and proposed developments within this area. The architecture of the proposed homes is similar in design to other homes in this area. Staff also finds the proposed design of this development to be in substantial compliance with past approvals for a detached single family residential development on this site and; therefore, supports the design review. However, WC-21-400158 is a related item on this agenda for waiver of conditions for ZC-18-0774, to provide pedestrian access to Torrey Pines Drive. This waiver of conditions will have to be approved to allow the approval of this design review. Staff does not object to the waiver of conditions.

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. WC-21-400158 (ZC-18-0774) must be approved to allow for the approval of the proposed subdivision design.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 this application must commence within 4 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Rush Avenue, 30 feet for Mann Street, and associated spandrel;
- Applicant to apply for BLM right-of-way grants for 30 feet for Rush Avenue, 40 feet for Torrey Pines Drive, and associated spandrels.
- 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; and 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.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMH DEVELOPMENT, LLC

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