

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

PIONEER WY/WARM SPRINGS RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0151-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 18.7 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased retaining wall height; **2)** increased building height; and **3)** reduced residential driveway separation.

DESIGN REVIEWS for the following: **1)** a single family residential subdivision; and **2)** finished grade.

Generally located on the east side of Pioneer Way (alignment) and the south side of Warm Springs Road within Enterprise (description on file). MN/jor/jo (For possible action)

RELATED INFORMATION:

APN:

176-10-101-006; 176-10-196-001; 176-10-199-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the retaining/screen wall height to 11 feet (5 foot retaining/6 foot screen wall) where 9 feet (3 foot retaining/6 foot screen wall) is the maximum per Chapter 30.64 (a 22% increase).
2. Increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase).
3.
 - a. Reduce the proposed residential driveway separation to 7 feet (for Lot 119) where a 12 foot separation from the back of curb radius is required per Uniform Standard Drawing 222 (a 42% decrease).
 - b. Reduce the proposed residential driveway separation to 11 feet (for Lot 7) where a 12 foot separation from the back of curb radius is required per Uniform Standard Drawing 222 (an 8% decrease).

DESIGN REVIEWS:

1. A single family residential subdivision.
2. Increase finished grade to 120 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 18.7
- Number of Lots: 147 (lots)/8 (common elements)
- Density (du/ac): 7.8
- Minimum/Maximum Lot Size (square feet): 3,320/9,0225 (gross and net)
- Project Type: Single family residential subdivision
- Number of Stories: 3 (maximum)
- Building Height: 36 feet, 6 inches (maximum)
- Square Feet: 1,642 (minimum)/4,217 (maximum)

Site Plan & Request

The applicant is proposing a conforming zone change to reclassify the site from R-E zoning to R-2 zoning. The proposed subdivision will have a density of 7.8 dwelling units per acre. The site plan depicts a proposed single family residential subdivision located on the south side of Warm Springs Road and the east side of Pioneer Way (alignment). The site includes 3 parcels, the first being APN 176-10-101-006, which will be designed to incorporate 147 proposed single family residential parcels and 8 common elements. APNs 176-10-196-001 (portion of a flood channel - southwest corner) and 176-10-199-011 (portion of right-of-way along east property line) are parcels located within the site. These remnant parcels are proposed to be vacated through a companion application since they are no longer needed for the development. Access to the site is located along the west property line adjacent to Pioneer Way (alignment). Lot 1 through Lot 7 and Lot 119 through Lot 134 face west towards Pioneer Way. The remaining lots within the subdivision face internally towards the proposed private streets. The plans also depict pedestrian access easement to be privately maintained on the northwest corner of the site which connects to a proposed detached sidewalk along the north property line adjacent to Warm Springs Road.

The applicant is requesting to increase the retaining/screen wall height to a 5 foot retaining/6 foot screen wall where a 3 foot retaining/6 foot screen wall is the maximum per Chapter 30.64 (a 22% increase). The proposed retaining wall height increase is located on the southwest corner of the site between Lots 105, 134, and 135.

In addition, the applicant is requesting to increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase). Per the submitted plans, the model home types labeled as Sheffield and Trafford will offer a third floor option which will increase the overall height to 36 feet, 6 inches.

Furthermore, the applicant is requesting to reduce the proposed residential driveway separation from the back of curb radius to 7 feet where 12 feet is required per Uniform Standard Drawing 222 (a 42% decrease). The proposed reduction is located on Lot 7 and Lot 119 only. Lot 7 depicts an 11 foot separation from the back of curb radius where 12 feet is required. Lot 119 depicts a 7 foot separation from the back of curb radius where 12 feet is required. These lots are located along the west property line adjacent to Pioneer Way (alignment).

Lastly, the design review for the proposed single family residential subdivision will offer future homeowners 10 different model home options to choose from. The second design review request is to increase the finished grade to 120 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 233% increase). Submitted plans show that the areas of the subdivision that will require more than 36 inches of fill are located on the following: Lot 1 through Lot 7, Lot 15 through Lot 22, Lot 67 through Lot 70, Lot 75 and Lot 77, Lot 86 through Lot 90, Lot 95, Lot 99 through Lot 108, and finally Lot 132 through Lot 135.

Landscaping

The landscape plan depicts a 1,497 square foot landscape area on the southwest corner of the site. Furthermore, landscaping will be provided within the common elements on the north and south side of the private street entrance along the west property line. Lastly, the applicant will plant landscaping at the northwest corner which is integrated into the landscaping adjacent to the proposed detached sidewalk along the north property line. Large trees and shrubs will be planted within designated areas of the site (common elements and adjacent to the detached sidewalk).

Elevations

Per the submitted elevation plans for the different home models, the residences will include stucco walls with stucco pop-outs. The exterior elevation walls also include faux stone finishes to add some visual interest to the homes. Furthermore, the minimum building height is 22 feet and the maximum building height is 36 feet, 6 inches. The Trafford model home design will offer a third floor option which increases the overall height to 36 feet, 6 inches.

Floor Plan

The applicant is proposing 10 model home options. The proposed floor plans include a minimum area of 1,642 square feet to a maximum of 4,217 square feet. All floor plans include bedrooms, bathrooms, kitchens, living rooms, dining rooms, dens, and 2 to 3 car garages.

Applicant's Justification

Per the applicant's justification letter, the site is zoned R-E with a planned land use of Mid-Intensity Suburban Neighborhood (MN) which allows up to 8 dwelling units per acre. The applicant is proposing to change the zoning from R-E to R-2, which is conforming to the current land use plan, and the proposed density is 7.8 dwelling units per acre. The design review request to increase the finished grade over the maximum 36 inches is due to the existing wash that runs from the southwest corner to the middle of the east boundary, and a wash at the northwest corner. The lots that are proposed at the southwest corner of the site on Pioneer Way at the largest fill depth will require 10 feet of fill where 36 inches is the maximum. Furthermore, the applicant is requesting to reduce the driveway separation from the back of curb radius to 7 feet where 12 feet is required on Lot 119. This request is required since the applicant is proposing a single family detached product that is 40 feet wide and a 2 car garage which requires a 16 foot wide driveway. The applicant is also requesting a waiver to increase the retaining wall height to 5 feet where a 3 foot retaining wall is the maximum. The proposed screen walls will be 6 feet only. Per the applicant, this is located on the southwest corner of the site which fronts Pioneer Way and backing up to lots within the proposed subdivision. Currently, the grading quantities are near a balance, and the additional height will allow the quantities to remain close in balance. Lastly, the applicant is requesting to increase the proposed building height to 36 feet, 6 inches

because there are 40 foot wide lots which offer 5 model home plans. There are 2 model home plans (Trafford and Sheffield) which offer a third floor and requires an additional 1.5 foot increase.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business Employment	R-E & C-2	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
East	Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (from 8 to 18 du/ac)	R-3 & R-2	Townhomes & single family residential
West	Compact Neighborhood (up to 18 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	C-2 & R-2	Undeveloped & single family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
TM-22-500050	A tentative map for a 147 lot single family residential subdivision is a companion item on this agenda.
VS-22-0152	A vacation and abandonment for rights-of-way 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

Zone Change

The applicant is proposing a conforming zone change to reclassify the site from R-E zoning to R-2 zoning. The applicant is proposing a density of 7.8 dwelling units per acre, where 8 dwelling units per acre is the maximum allowed. Staff finds that since there are existing R-2 zoned single family residences to the southwest, south, southeast of the subject parcels, reclassifying the subject parcels is harmonious to the surrounding residential areas. Staff recommends approval of this request.

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

The applicant is requesting to increase the retaining/screen wall height to a 5 foot retaining/6 foot screen wall where a 3 foot retaining/6 foot screen wall is the maximum per Chapter 30.64 (a 22% increase). The applicant submitted an exhibit which depicts the proposed request on the south side of Lot 105 and is shared property line with Lot 134 and Lot 135 to the south. The exhibit shows a 5 foot high retaining wall and a 6 foot screen wall. Staff finds that the increase in retaining wall height is internal to the site. However, the proposed retaining wall and associated increase in finished grade from 36 inches and above may pose a negative impact to the existing neighborhoods to the west and south if 3 story homes are constructed within this general portion of the subdivision. Staff can support this request if 3 story homes are not constructed within this area.

Waiver of Development Standards #2

The applicant is requesting to increase the proposed building height to 36 feet, 6 inches where 35 feet is the maximum allowed per Table 30.40-1 (a 4% increase). The applicant is proposing 10 different model homes that customers can choose from for the entire subdivision. Per the applicant, 80 of the proposed 147 lots are 40 feet wide, and 5 model home plans are proposed specifically for the 40 foot wide lots. Per staff research, there are no 3 story homes in the immediate area. Ten proposed model homes are an ample amount of model homes for future homeowners to choose from and providing a 3 story option from 2 out of 10 model home options is not warranted. The applicant submitted an exhibit which shows that the proposed 3 story homes can potentially be constructed along the northern, western, and central areas of the subdivision. If the 3 story homes were limited to the internal portions of the subdivision and not adjacent to the right-of-way or adjacent to existing residences, staff could support this request.

Design Review #1

Staff supports the zone change and waiver of development standards #1. However, staff has concerns with increasing the building height to allow a 3 story home product. The applicant is requesting to increase the building height to 36 feet, 6 inches for 80 of the proposed 147 lots. Staff finds the other 8 model home options to be appropriate for the site and are in character with the surrounding neighborhood. Staff can support this request if 3 story home products are limited internally to the site.

Public Works - Development Review

Waiver of Development Standards #3

Staff finds there is no justification to reduce the distance from the back of curb radius to the driveway for Lot 7 and Lot 119. The minimum required distance is intended to provide safe turning movements, thereby reducing the potential for collisions.

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 of the zone change, waivers of development standards #1 and #2, and the design reviews; denial of waiver of development standards #3.

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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 3 story homes limited to internal lots only (Lot 38 through Lot 66 and Lot 81 through Lot 104);
- 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 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 waivers 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;
- Right-of-way dedication to accommodate a taper from 25.5 feet to 30 feet for Pioneer Way to match the west side of the street, and associated spandrel;

- If required by the Regional Transportation Commission (RTC), provide a standard bus turnout and a 5 foot by 25 foot bus shelter pad easement behind the sidewalk along Warm Springs Road, just east of Pioneer Way.
- 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 #0123-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Enterprise - approval; denial of waiver of development standards #3

APPROVALS:

PROTESTS:

APPLICANT: JENNIFER VERAS

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