

PLANNED UNIT DEVELOPMENT  
(TITLE 30)

**UPDATE**  
FORT APACHE RD/HAMMER LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-22-0119-CENTURY COMMUNITIES NEVADA, LLC:**

**HOLDOVER ZONE CHANGE** to reclassify 1.9 acres from an R-E (Rural Estates Residential) (RNP-I) Zone to an R-E (Rural Estates Residential) Zone.

**USE PERMITS** for the following: **1)** a residential planned unit development (PUD); and **2)** reduce the building setback from project perimeters.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce the area of a PUD; **2)** increase wall height; and **3)** off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

**DESIGN REVIEWS** for the following: **1)** a detached single family residential planned unit development; and **2)** finished grade.

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

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RELATED INFORMATION:

**APN:**

125-32-201-001

**USE PERMITS:**

1. A detached single family residential planned unit development.
2. Reduce the building setback from project perimeters to 5 feet where a minimum of 10 feet is required per Section 30.24.060 (a 50% reduction).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the area of a PUD to 1.9 acres where a minimum of 5 acres are required per Section 30.32.020 (a 62% reduction).
2. Increase the height of a combination screen wall/retaining wall to 12 feet (6 foot screen wall with a 6 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).
3. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Hammer Lane where required per Chapter 30.52.

**DESIGN REVIEWS:**

1. Detached single family residential planned unit development.
2. Increase finished grade to 114 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 216.7% 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: 1.9
- Number of Lots: 4
- Density (du/ac): 2.12
- Minimum/Maximum Lot Size (square feet): 20,000/20,883 (gross), 14,872/17,524 (net)
- Project Type: Detached (single family residential) planned unit development
- Number of Stories: 1
- Building Height (feet): Up to 23.5 (single family residences)/up to 17 (accessory structures or accessory apartment)
- Square Feet: 3,001 to 3,704 (single family residences)/599 square feet to 604 square feet (accessory structures or accessory apartment)

### Site Plans

The plans depict a detached single family residential development situated on a 1.89 acre site consisting of 4 residential lots with a density of 2.12 dwelling units per acre. The planned unit development (PUD) is less than 5 acres, necessitating the waiver of development standards to the minimum area required for the development of the site. The minimum and maximum gross lot sizes are 20,000 square feet and 20,883 square feet, respectively. The minimum and maximum net lot sizes are 14,872 square feet and 17,524 square feet, respectively. Open space is not required for this PUD as the site is located within a rural residential zoning district, is less than 10 lots, and less than 6 dwelling units per acre. Parking will consist of garage parking for residents and surface parking consisting of driveways for residents and visitors. The minimum setbacks for the detached single family residences are as follows:

	<b>Front Setback</b>	<b>Rear Setback</b>	<b>Side Setback</b>	<b>Side Street (Corner) Setback</b>
Single family residence*	31 feet	30 feet	10 feet	15 feet
Patio cover	-	12 feet	7 feet	10 feet
Accessory structure (accessory apartment or pool house)	31 feet	5 feet	5 feet	10 feet

\* The PUD establishes alternative front, side, side street (corner) and rear setbacks. The front setback is set at 31 feet as measured from the centerline of the private street to allow for the addition of the casita option.

The side and rear setbacks requested for the patio cover and accessory structures require an additional use permit to reduce the building setback from the perimeter of the PUD. Access to the project site is granted via a 40 foot wide private street, terminating in a cul-de-sac bulb, connecting to Hammer Lane. A 5 foot wide sidewalk is provided along the west half of the

private street, in accordance with the PUD requirements. A waiver of development standards is requested to eliminate the required off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Hammer Lane. Furthermore, a waiver of development standards is also requested to increase the height of the combined screen wall/retaining wall up to a maximum of 12 feet along the north, south, east, and west boundaries of the project site. Due to the topography of the site, a design review is also requested to increase finished grade up to a maximum of 114 inches within the interior of the site. The maximum grade increase is located on Lots 2 and 3, along the east portion of the project site.

#### Landscaping

A 6 foot wide landscape area, consisting of 24 inch box trees planted 20 feet on center, is located adjacent to Fort Apache Road and Hammer Lane. Shrubs and groundcover will also be planted within the street landscape areas. An existing 5 foot wide detached sidewalk is located along Fort Apache Road.

#### Elevations

The plans depict single story model homes with 9 different elevations with a maximum height of 23.5 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco and stone veneer. Architectural enhancements are featured on the building elevations including window fenestration, faux shutters, and stucco pop-outs.

#### Floor Plans

The plans depict single story homes with floor plans ranging between 3,001 square feet to 3,704 square feet. The floor plans feature multiple bedrooms, living room, dining room, kitchen, bathrooms, closets, laundry room, and a great room. The homes feature 2 to 3 car garages. The floor plans for the accessory structures (detached garage and pool house) and accessory apartment (casita) range between 599 square feet to 604 square feet.

#### Applicant's Justification

The applicant states the use permit will allow the developer to develop a planned unit development (PUD) on the subject property at a density of 2.12 dwelling units per acre. The project site is surrounded by a mix of undeveloped and rural properties. The proposed PUD will provide consistency and a development that is compatible and harmonious with existing and future planned developments.

This conforming zone change is requested to alleviate the site from the restrictions of Title 30.48.190(a), which requires properties within an RNP overlay to maintain an overall density of 2 dwelling units per acre. Because the project site proposes 2.12 units/gross acre, the conforming zone change is needed.

Because the Lone Mountain area generally has steeper grade in comparison to other parts of the valley and has larger lot sizes (at least 20,000 square feet), greater fill is needed to make-up for the grade difference and achieve a flat pad for the finished floor. Additionally, the current drainage pattern conveys flow to the low point of the site at the southeast corner. To limit the project's drainage impact on adjacent parcels, this development will instead discharge into the

Hammer Lane right-of-way and; therefore, needs an extra retaining wall at the southeast corner to provide positive drainage to the roadway.

The applicant requests a waiver of development standards to allow for the installation of rural roadway improvements that the site would be entitled to provide with its current RNP-I Overlay. However, with the conforming zone change removing this overlay, the site would be responsible for installing full off-site improvements per Title 30.52.040. The applicant is requesting a waiver from installing full off-site improvements to keep the surrounding area rural and match the surrounding right-of-ways along Hammer Lane. The waiver request is compatible with the area because the developments adjacent to the project site do not have full off-site improvements along Hammer Lane.

The applicant requests an increase in finished grade up to a maximum of 114 inches. The maximum fill will be primarily localized to Lots 2 and 3 along the eastern perimeter of the site. This request for fill heights will exceed the currently allowed retaining wall height maximum outlined in Title 30. This request is necessary to direct storm run-off 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 use is compatible with adjacent uses in terms of scale, site design, and operating characteristics.

#### **Surrounding Land Use**

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

#### **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 intent of the Residential Neighborhood Preservation Overlay District is to maintain low density residential development, not to exceed an overall density of 2 dwelling units per acre. Staff finds the applicant has not provided sufficient justification to warrant a recommendation of approval for the zone change. The project site is surrounded by multiple properties within the RNP-I Overlay District and the Lone Mountain Interlocal Agreement area (Planning Area A1), and the zone change, if approved, will create a single isolated development located outside of the Overlay District. Approval of the zone change will also allow the proposed development to exceed 2 dwelling units per acre which is inconsistent with the Lone Mountain Interlocal Agreement. Therefore, staff recommends denial of the zone change.

### Use Permits

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.

### 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.

### Use Permits, Waiver of Development Standards #1, & Design Review #1

A planned unit development (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 enhance residential amenities. The applicant has requested the PUD to obtain the benefit of increased density without providing the enhanced design and additional amenities. The Development Code requires a PUD be established on a minimum of 5 acres under common ownership or unified control to ensure cohesive and unified development. Staff finds the project site is too small to allow for the proper development of a PUD including the enhanced design and additional amenities commonly featured with this type of project. Although the design of the subdivision is consistent with other 4 lot cul-de-sac developments within the surrounding area, staff is concerned the proposed project is not compatible with the density of the existing and planned land uses in the surrounding area and is also inconsistent with the Lone Mountain Interlocal Agreement Area. Therefore, staff recommends denial of these requests.

### Waiver of Development Standards #2

The increased wall height to a maximum of 12 feet could potentially impact the surrounding land uses and properties, due to the proposed height. Therefore, staff cannot support this request.

### **Public Works - Development Review**

#### Waiver of Development Standards #3

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, 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.

### 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. However, since Planning is recommending denial of the application, staff cannot support this waiver.

### **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:**

#### **Current Planning**

If approved:

- Resolution of Intent to complete in 3 years.
- 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; and that 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.

#### **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 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 that for any sanitary sewer needs, 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:**

**APPROVALS:**

**PROTESTS: 2 cards**

**COUNTY COMMISSION ACTION:** April 20, 2022 – HELD – To 05/04/22 – per Commissioner Miller.

**COUNTY COMMISSION ACTION:** May 4, 2022 – HELD – To 05/18/22 – per the applicant.

**APPLICANT:** STRIVE ENGINEERING

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