

06/07/22 PC AGENDA SHEET

SETBACKS
(TITLE 30)

DEAN MARTIN DR/FRIAS AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0194-D R HORTON INC:

WAIVER OF DEVELOPMENT STANDARDS for reduced setbacks in conjunction with a single family residential development on 22.5 acres in an RUD (Residential Urban Density) Zone.

Generally located on the west side of Dean Martin Drive and the south side of Frias Avenue within Enterprise. JJ/nr/syp (For possible action)

RELATED INFORMATION:

APN:
177-29-403-001; 177-29-406-003; 177-29-406-004

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the rear setbacks for Lots 16, 26, 35, Lots 45 through 126, Lots 128 through 186, and Lots 188 through 197 to 10 feet where 15 feet is required per Table 30.40-2 (a 33% decrease).

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 22.5
- Number of Lots/Units: 209 (entire subdivision)
- Project Type: Setbacks

Site Plans

The plans depict a previously approved single family residential development consisting of 207 lots on 22.5 acres. The minimum and maximum lot sizes are 2,657 square feet and 6,493 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Ti Amo Avenue, which connects to Dean Martin Drive. The other primary entrance to the proposed development is via a private street, Roma Moonlight Street, which connects Frias Avenue to Rush Avenue. The interior of the development is serviced by a network of 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street. Common element Lot F, is now consisting of 19,213 square feet of open space and is located on the south side of the

subdivision. Reduced setbacks are requested for a majority of the lots throughout the subdivision, including the perimeter lots along the north side of the subdivision, the east side along Dean Martin Drive and south side of the subdivision adjacent to commercial development.

Landscaping

Street landscaping consists of a 15 foot wide area, which includes a 5 foot wide detached sidewalk along Dean Martin Drive and Frias Avenue. Along Rush Avenue and Polaris Avenue landscaping consists of a 6 foot wide area behind an attached 5 foot wide sidewalk. Internal to the site, a network of common open space will be interconnected throughout the development. These community elements will include on-site pedestrian paths, pavilions, and benches for the future residents.

Elevations

The plans depict 3 different model homes each featuring 3 varying elevation models. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,715 square feet to 1,865 square feet depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed reduction in setbacks is due to topographic and site constraints. The justification letter states that added amenities within the subdivision will help compensate for reduced setbacks.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0574	Reclassify 22.5 acres from R-E to RUD with alternative driveway geometrics and increased finish grade	Approved by BCC	March 2021
VS-20-0575	A request to vacate government patent easements and BLM right-of-way grants	Approved by BCC	March 2021
TM-20-500199	A tentative map to subdivide the site into 209 single family residential lots	Approved by BCC	March 2021
PA-18-700020	Re-designate the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single family residential subdivision - expired	Approved by BCC	November 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	R-E & R-D	Undeveloped & single family residential
South	Corridor Mixed Use, Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	C-1, C-2, & R-E	Convenience store, gas station, single family residential, & undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Corridor Mixed Use	R-E & C-2	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Neighborhood Commercial	R-E & C-2	Undeveloped

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

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.

Staff reviews waivers to ensure compatibility with existing and planned development in the surrounding area. Setbacks and separations help to preserve the appeal and integrity of an area and help to moderate visual impacts and possible safety issues. The subdivision was approved in a high-density zoning district with smaller setbacks than other single family zoning districts in the Mid-Intensity Planned Land Use category.

The RUD zoning district could allow for patio covers on homes with a 3 foot setback from the rear property line. However, with the setback reduction the parcels included in this application would be prohibited from having any accessory structures in the rear yard.

The square footage of the parcels within the subdivision are typical for the RUD zoning district; however, reducing the setbacks to fit a larger sized model for almost 75% of the proposed subdivisions lots is not appropriate. The applicant is requesting a reduction for 155 out of 207 lots to a 10 foot rear setback even though the revised site plan shows setbacks ranging from 10 to 14 feet. Staff finds that the proposed reduction is a self-imposed hardship and will ultimately affect the future home buyer with the inability to use their outdoor space like the other lots within the developing subdivision. Through thoughtful design or a reduced home size could be considered with minor modifications to an offered model could provide the opportunity to meet

the setbacks on all of the parcels. Staff finds the reduced setbacks are not suitable in meeting County Policy 1.3.5 of the Master Plan to encourage the integration of neighborhoods that enhance the health and quality of life for Clark County residents. Staff recommends denial.

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 Statute.

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 and application for review; 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

- No comment.

Fire Prevention Bureau

- All proposed single-family residential submittals will comply with code requirements for residential streets;
- Per 503.2.1.1 (Parallel Parking Permitted on Both Sides) where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curb for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1- and 2-family dwellings;
- Homes on undersized stub streets will require fire sprinklers.

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 #0462-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: D R HORTON INC

CONTACT: VTN-NEVADA, 2727 SOUTH RAINBOW BOULEVARD, LAS VEGAS, NV
89146