

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

BUFFALO DR/CHARTAN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0262-FUSCO, ROMOLO RAMO FAMILY TRUST & FUSCO, ELIZABETH:

ZONE CHANGE to reclassify 1.9 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)** increase wall height; **2)** street intersection off-set; and **3)** alternative residential driveway geometrics.

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

Generally located on the northeast corner of Buffalo Drive and Chartan Avenue within Enterprise (description on file). JJ/al/jo (For possible action)

RELATED INFORMATION:

APN:

176-34-301-009

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase wall height to a maximum of 10 feet (6 foot screen wall with a 4 foot retaining wall) where a maximum wall height of 9 feet (6 foot screen wall with a 3 foot retaining wall) is permitted per Section 30.64.050 (an 11.1% increase).
2. Reduce the street intersection off-set to a minimum of 79 feet where a minimum of 125 feet is required per Section 30.52.052 (a 36.8 % reduction).
3. Reduce the separation from the back of radius curve at a street intersection to a residential driveway to 4.5 feet where a minimum of 12 feet is required per Uniform Standard Drawing 222 (a 62.5% reduction).

DESIGN REVIEWS:

1. A detached single family residential development.
2. Increase finished grade to 47 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 30.6% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Number of Lots: 15
- Density (du/ac): 7.9
- Minimum/Maximum Lot Size (square feet): 3,304/4,763
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 2,050 to 2,300
- Open Space Required/Provided: 0/7,502

Site Plan

The plan depicts a single family residential development consisting of 15 lots with a density of 7.9 dwelling units per acre. The site has frontage along Buffalo Drive and Chartan Avenue; however, none of the lots will take access from these streets. Access to the development will be provided by a 48 foot wide street that intersects with Chartan Avenue and terminates in a cul-de-sac in the northern portion of the site. The plans show there will be a 5 foot wide sidewalk on each side of the street. The request includes a waiver of development standards for increased wall height for retaining walls and to increase the finished grade above 36 inches. The plans show these increases are needed along the eastern property line. The request to reduce the separation between a driveway and the radius curve of a street intersection is for 1 lot located in the southwestern portion of the site.

Landscaping

The plan depicts a total of 7,502 square feet of open space for the development which is divided between 3 common elements. Common Element B has an area of 671 square feet, is located in the northeastern portion of the site, and will be used for a drainage easement. Common Elements A and C are located along the streets and will be used for landscaping. Common Element A is located behind an attached sidewalk along Chartan Avenue in the southeastern portion of the site, is 6 feet wide with an area of 617 square feet, and will have a combination of trees, shrubs and groundcover. Common Element C is located along Chartan Avenue and Buffalo Drive with an area of 6,214 square feet and is 6 feet wide behind an attached sidewalk along Chartan Avenue with landscaping consisting of trees, shrubs, and groundcover. Along Buffalo Drive the landscape buffer is 15 feet wide with a 5 foot wide detached sidewalk and landscaping consisting of trees, shrubs, and groundcover.

Elevations

Plans for 3 home models were submitted for this application. All of the home models are 2 stories with a maximum height of 26 feet. The homes have pitched roofs with concrete tile roofing material. The exterior of the homes have a combination of a stucco finish painted in earth tone colors with stone or brick veneer and various window treatments.

Floor Plan

The homes are between 2,050 square feet to 2,300 square feet in area. Each home has a 2 car garage, and 3 to 4 bedrooms.

Applicant's Justification

The applicant indicates that the proposed development is in conformance with the Master Plan and is consistent and compatible to the abutting residential developments. The increase in retaining wall height and finished grade are necessary to balance out the site and provide proper drainage. The reduced separation for the driveway to the street intersection is needed due to the limited size of the site.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Open Lands	R-2 & P-F	Single family residential & Jones Blackhurst Elementary School
West	Open Lands	R-E	Undeveloped

This site and the parcels to the west are located within the Public Facilities Needs Assessment Area.

Related Applications

Application Number	Request
VS-22-0263	A request to vacate and abandon easements and rights-of-way is a companion item on this agenda.
TM-22-500089	A tentative map for 15 single family residential lots 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 Master Plan designates this site Mid-Intensity Suburban Neighborhood which allows for single family residential up to 8 dwelling units per acre. Therefore, the proposed zoning district is in conformance with the Master Plan. The request to reclassify this site to an R-2 zone is also consistent and compatible with the existing R-2 zoning to the north, south, and east. The project complies with Goal 1.1 of the Master Plan to provide opportunities for diverse housing options to meet the needs of residents of all ages, income levels and abilities. Therefore, staff can support the zone change.

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 indicates that it is necessary to increase the height of the retaining walls to balance out the site and provide proper drainage. The topography of a site can be a unique or special circumstance to warrant the approval of an increase in the height of a retaining wall. There is an existing single family residential development along the north and east sides of this property and to the south across Chartan Avenue is another single family residential development and a school. These existing developments have established existing grades and locations for utilities and drainage. This site has to be designed around the constraints of these existing developments to tie into utilities and established drainage patterns which may make it necessary to increase the height of the walls to balance out the site. Therefore, staff does not object to this request but is not recommending approval of this request due to the recommendations of the other portions of the application.

Design Review #1

The size and scale of the proposed homes are consistent and compatible with the existing homes abutting the site. The size of the proposed lots are consistent with the sizes of the lots adjacent to the site. The request complies in part with Policy 1.4.4 In-fill and Redevelopment which encourages in-fill development to be compatible with the scale and intensity of the surrounding area. The proposed development is consistent and compatible with the adjacent developments; however, since waiver of development standards #3 is not being supported staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff can support the reduction of intersection off-set between the proposed entry street and Kane Springs Street since the location of the street is in the best location possible to avoid conflicts with both Buffalo Drive and Kane Springs Street. However, since Planning is not supporting the rest of the application, staff cannot support this request.

Waiver of Development Standards #3

Staff finds the request to reduce the distance from the point of curve to the driveway on Lot 15 to be a self-imposed hardship with no rational justification. The volume of traffic generated by the school will be more dangerous since vehicles accessing Lot 15 will need to make sudden unexpected turn movements to use the driveway.

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 not supporting the rest of the application, staff cannot support this request.

Staff Recommendation

Approval of the zone change; denial of waivers of development standards and design reviews.

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;
- 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 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;
- Crosswalk to be installed across Chartan Avenue parallel to Kane Springs Street.
- 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 approval.

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 #0184-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (every other 2 driveways to be adjacent to each other where possible; increase fenestration of homes along public roads).

APPROVALS:

PROTESTS:

APPLICANT: HOLDEN DEVELOPMENT COMPANY, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135