

PLANNED UNIT DEVELOPMENT
(TITLE 30)

RUSSELL RD/TENAYA WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-22-0272-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 9.4 acres from an R-E (Rural Estates Residential) Zone to an R-2 (Medium Density Residential) Zone.

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

WAIVER OF DEVELOPMENT STANDARDS for street dedication.

DESIGN REVIEW for a proposed detached single family residential planned unit development.

Generally located on the north side of Russell Road, 300 feet west of Tenaya Way within Spring Valley (description on file). MN/rk/jo (For possible action)

RELATED INFORMATION:

APN:

163-27-402-012

USE PERMITS:

1. 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).

WAIVER OF DEVELOPMENT STANDARDS:

Waive dedication of Monte Cristo Way through the center portion of the site as required by Section 30.52.030.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.4
- Number of Lots: 80
- Density (du/ac): 8.5
- Minimum/Maximum Lot Size (square feet): 3,160/4,573
- Project Type: Detached single family residential planned unit development

- Number of Stories: 2 to 3
- Building Height (feet): Up to 35
- Square Feet: 2,025 to 3,074
- Open Space Required/Provided: 20,037/28,749

Site Plans

This is a conforming zone change request from an R-E to an R-2 zoning district for a single family detached planned unit development. The plans depict a residential development consisting of 80 lots on 9.4 acres with a density of 8.5 dwelling units per acre. The minimum and maximum lot sizes are 3,160 square feet and 4,573 square feet, respectively. The majority of the lots will have access from internal streets with the subdivision with the exception of the lots facing Dewey Drive. Ingress and egress to the proposed development is provided via a singular point of access being Dewey Drive to the north. The lots within the subdivision will be served by 43 foot wide internal private streets, which include a 5 foot wide sidewalk on 1 side of the street. The proposed development requires 20,037 square feet of open space where 28,749 square feet of open space is provided. The open space area (Common Element C) is centrally located within the project. The open space area measures a minimum of 32 feet in width. Two points of pedestrian access, consisting of 5 foot wide sidewalks are shown at the southern portion of the development that connects to the detached sidewalk along Russell Road.

Per Title 30, many of the development standards for planned unit developments are established by a use permit process based on the plans that are approved for the project by the Board of County Commissioners. The minimum setbacks for each of the single family units are as follows:

- Front garage - 20 feet
- Front portion of residence - 10 feet
- Interior side setback - 5 feet
- Side street corner setback - 10 feet
- Rear - 15 feet
- Rear patio - 5 feet*
- Minimum lot size: 3,160*

*A special use permit is required to reduce lot area and the perimeter setback for the lots along the east and west perimeters of the development.

Landscaping

The plans depict a 15 foot wide landscape area, including a 5 foot wide detached sidewalk located adjacent to Russell Road. Per Code requirements, 20,037 square feet of open space is required for the development where 28,749 square feet is provided. The applicant indicates future amenities such as walking paths and benches will be provided in Common Element C. Also shown on the plans are landscape elements along the corner side lots within the subdivision.

Elevations

The plans depict 2 to 3 story model homes with multiple elevations with a height ranging from 24.5 feet to 35 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco

siding, stone veneer, and varying rooflines. Architectural enhancements are featured on all elevations including window fenestration, faux shutters, and stucco pop-outs. Balconies will also be featured on the front elevation, second or third story, of several model residences. Only 1 model features a second story balcony on the rear elevation.

Floor Plans

The plans depict model homes with multiple floor plans ranging between 2,025 square feet to 3,074 square feet with options that include multiple bedrooms, 2 car garages, and options for bonus rooms.

Applicant's Justification

The applicant indicates the property is planned for Mid-Intensity Suburban Neighborhood, which allows up to 8 du/acre or 10 du/acre with a PUD. They are proposing to change the zoning to R-2 PUD, which is conforming to the current land use plan with a density of only 8.5 du/acre. The proposed development has open space centrally located in the community, with 2 pedestrian access points to Russell Road, which will have a larger street landscaped area behind the sidewalk. The open space will allow the residents to connect to Russell Road through the center of the community. According to the applicant, the development will provide open space amenities including but not limited to benches, walking paths, and dog stations. As for the waiver for street dedication of Monte Cristo Way, the applicant indicates the street alignment does not continue north of the subject site, and they are not proposing to dedicate this right-of-way.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Mid-Intensity Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Compact Neighborhood (up to 18 du/ac) & Mid-Intensity Neighborhood (up to 8 du/ac)	R-E & R-3	Condominium complex & undeveloped
East	Compact Neighborhood (up to 18 du/ac)	R-3	Condominium complex

Related Applications

Application Number	Request
VS-22-0273	A vacation and abandonment of a right-of-way for a detached sidewalk is a companion item on this agenda.
TM-22-500092	A tentative map for an 80 lot single family residential development on 9.4 acres 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 request to R-2 zoning conforms to the Spring Valley Planned Land Use Map which designates this parcel as Mid-Intensity Suburban Neighborhood (up to 8 du/ac). Staff finds the proposed zoning classification is consistent and compatible with the existing and approved land uses in the area. Therefore, staff recommends approval of this request.

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.

Use Permits & Design Review

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 design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. The open space provided within the planned unit development exceeds Code requirements by 8,712 square feet. However, staff is concerned with the configuration of the open space as it divides 2 rows of residences creating a canyon effect. The design of the open space area, located between the residential lots, could potentially create defensible space issues for residents and law enforcement. The proposed configuration of the open space is not practical and is partially isolated from the remainder of the development.

Since this application was originally submitted to the County, the applicant has reconfigured the original design of the open space with a more centralized open area; however, to access the common area there are still two, 32 foot wide access points that lead to a 72 foot wide green space between the residential lots. Staff finds the open space should have a unified design, open to the private street within the subdivision that is both visible and easily accessible for all residents. In addition, staff believes by having a row of lots facing Dewey Drive these lots are isolated from the remainder of the subdivision. In order to access the open spaces, the residents will have to walk along Dewey Drive and then enter the subdivision. As a result, the residents of these lots do not have direct access to the open spaces as the other residents. Staff also appreciates that the applicant has now agreed to no longer offer 3 story homes along the west perimeter of the development since there are a majority of existing single story homes along that property line. Therefore, staff recommends a condition for 2 story single family residences only for the lots along the west property line. The intent of the perimeter setback is to ensure a minimum distance and buffer is maintained between a planned unit development and adjacent parcels to mitigate any potential impact. The request to reduce the required setback is a self-imposed burden and could be eliminated by increasing the length of the perimeter lots by 5 additional feet. Staff cannot support the request for the planned unit development and associated

design review due to concerns with the open space configuration and the reduced perimeter setback; therefore, staff recommends denial.

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.

Public Works – Development Review

Waiver of Development Standards

Staff has no objection to not dedicating Monte Cristo Way. Scottyboy Drive can serve as the north/south between Dewey Drive and Russell Road.

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 and waiver of development standards; denial of the use permits and the design review.

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;
- 2 story single family residences only for lots along the west property line.
- 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 use permits, waiver of development standards, and design review must commence within 4 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Dewey Drive.
- 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.

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 #0159-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JENNIFER VERAS

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