

ATTACHED SINGLE FAMILY RESIDENTIAL
DEVELOPMENT
(TITLE 30)

EDMOND ST/CHARTAN AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-22-0394-S H S 1, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase the maximum allowed site disturbance area within hillside development; and **2)** reduced setbacks.
DESIGN REVIEW for a final grading plan for a residential development within a hillside area on 10.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Edmond Street (alignment) and the north and south sides of Chartan Avenue (alignment) within Enterprise. JJ/bb/jo (For possible action)

RELATED INFORMATION:

APN:

176-36-721-001 through 176-36-721-030; 176-36-815-001 through 176-36-815-021

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the maximum site disturbance for hillside areas to 6.0 acres where 3.5 acres is allowed per Table 30.56-1 (a 71% increase).
2. Reduce the corner street setback for Lot 1 to 5 feet where 10 feet is required per Table 30.40-2 (a 50% 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: 10
- Number of Lots: 50
- Density (du/ac): 5
- Minimum/Maximum Lot Size (square feet): 3,300/4,764
- Project Type: An attached single family residential development
- Number of Stories: 3
- Building Height (feet): 35
- Square Feet: 2,272

- Open Space Provided: 3.2 acres
- Natural Area (Hillside) Provided/Required (acres): 2.4/4.4

Site Plan

The approved plan depicted a residential development consisting of attached single family residences within a hillside area. The plans included a total of 50 residences with a density of 5 dwelling units per acre. Each residence will be located on its own lot and will share a common wall with one other residence. Each residence will have a 20 foot front yard setback, a 15 foot rear yard setback and the side of the residence that does not share a common wall with another residence will have a 5 foot side yard setback or a 10 foot corner setback, with the exception of Lot 1 that is proposed with a 5 foot setback. Lot 1 is located at the back of the subdivision with no pass through traffic. Access to the development will be provided by Chartan Avenue which will terminate in a radius cul-de-sac at the entrance of the development. Gates will be provided at the entrance to the development to control access. The call box for the gates is located 27 feet from the end of the proposed cul-de-sac at the end of Chartan Avenue. Access within the subdivision will be provided by 39 foot wide private streets which do not have sidewalks. The private streets will terminate in stub streets that will provide access to a maximum of 4 lots. The Edmond Street alignment is located along the western boundary of the site and will terminate in a previously approved hammerhead design turnaround at the northwest corner of the site.

This site is located in a hillside area with slopes that exceed 12%. The previous plans indicated that of the 10 acres which make up this site, 2.1 acres have slopes below 12%, 4.9 acres have slopes from 12% to 25%, and 3 acres have slopes that exceed 25%. The previous request reduced the amount of undisturbed area required for this development to 2.4 acres where 4.4 acres is required. The current request is to increase the disturbed hillside area in excess of 12% slope and those exceeding 25% by 1% to a total of 5.64 acres of total disturbance.

Landscaping

The approved plans depict landscape areas consisting of trees, shrubs, and groundcover located along the entrance to the development and along the streets within the development. The approved plan also depicts a recreational area for the residents of the development on the southern portion of the site. The plans for the recreational area depict picnic tables, fire pits, shade structures, a plunge pool and a walking path. The recreational area is located on slopes greater than 12:1 and does not appear to have been included in the portions of disturbance calculations. Any disturbance to slopes not included in the waiver of development standards will require a subsequent waiver at a later date.

Elevations

The approved plans depict a 3 story residence with a maximum height of 35 feet. The plans indicate that 2 residences will share a common wall located on a property line. The residences will have a combination of flat roofs behind parapet walls and pitched roofs with concrete tile roofing material. The exterior of the residences will have a stucco finish painted in earth tone colors.

Floor Plan

Each residence has an area of 2,272 square feet with 3 bedrooms and a 2 car garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting a design review of the final grading plans to satisfy the condition attached to ZC-20-0454 and a waiver for any further increase to disturbed areas within the hillside development area. The previous approval was for 3.62 acres disturbed between 12% and 25% slopes, and 1.87 acres disturbed with over 25% slopes, for a total of 5.49 acres. The new total disturbed area will be 5.64 acres. As a result of Lot 1 having a detached single family residential home, the required north corner street side setback is 10 feet. The common lot is being removed at this location, and the applicant is asking for a reduced 5 foot street corner setback at Lot 1.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|---------------|
| ZC-20-0454 | Reclassified R-E to R-2 zoning, attached single family development, hillside development, off-site improvements, and preliminary grading | Approved by BCC | February 2021 |
| VS-20-0453 | Vacated and abandoned patent easements | Approved by BCC | February 2021 |
| TM-20-500154 | 50 lot subdivision | Approved by BCC | February 2021 |
| TM-0015-15 | 34 lot single family residential development - expired | Approved by PC | March 2015 |
| ZC-0075-14 | Reclassified the site to R-2 zoning for a 34 lot single family residential development in a hillside area - expired | Approved by BCC | November 2014 |
| ZC-1469-06 | Reclassified the site to R-2 zoning for a 74 lot single family residential development in a hillside area - expired | Approved by BCC | November 2006 |
| TM-0439-06 | 74 lot single family residential development - expired | Approved by BCC | December 2006 |
| ZC-1512-05 | Reclassified the northern portion of this site to R-2 zoning for a future single family residential development - expired | Approved by BCC | November 2005 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|------------------------|---|
| North | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Single family residential |
| South | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Undeveloped & single family residential |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|------|---|-----------------|---|
| East | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | R-2 | Undeveloped & single family residential |
| West | Public Facilities | R-E | Undeveloped |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 Standard #1

The purpose of the hillside development standards is to, among other items listed in Title 30, minimize grading and site disturbance on hillsides to maximize compatibility with the natural terrain, encourage the reasonable, safe and aesthetic use of the steep and inconsistent topography of the natural hillsides, establish a transition zone between hillside development and more intensive development, and ensure conservation of these area as a visual resource. This request does not comply with Goal 3.6 of Core Value 3: A healthy and sustainable natural and built environment encourages land development that minimizes alteration of the natural landform. While several hillsides within the immediate area have been graded to accommodate residential developments, these developments were not subject to the Hillside Development Regulations contained within Title 30. The additional area of disturbance exceeds the previous request that greatly exceeded the Hillside Development Regulations. Therefore, staff cannot support this waiver.

Waiver of Development Standard #2

The proposed 5 foot setback will not be detrimental to the surrounding area when considering the lot is at the north end of the subdivision with minimal traffic and no drive through traffic.

Design Review

This request does not comply with Goal 3.6 of Core Value 3: A healthy and sustainable natural and built environment encourages land development that minimizes alteration of the natural landform. While several hillsides within the immediate area have been graded to accommodate residential developments, these developments were not subject to the Hillside Development Regulations contained within Title 30. The additional area of disturbance exceeds the previous request that greatly exceeded the Hillside Development Regulations. Therefore, staff cannot support the design review.

Staff Recommendation

Approval of waiver of development standards #2; denial of waiver of development standards #1 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:

- 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified in the future; 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 this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Comply with approved drainage study PW21-12700.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CHRISTOPHER HOMES, LLC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 175 BERKELEY ST., BOSTON, MA 02116