

03/21/23 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

ELDORADO LN/BERMUDA RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-23-0010-SZE, KUK-SUI & NG, KENNETH YU KIN:

ZONE CHANGE to reclassify 2.1 acres from an R-E (Rural Estates Residential) Zone to an R-1 (Single Family Residential) Zone.

DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** allow a street to terminate into a hammerhead street design.

Generally located on the southwest corner of Eldorado Lane and Bermuda Road within Enterprise (description on file). MN/gc/syp (For possible action)

RELATED INFORMATION:

APN:

177-09-604-003

DESIGN REVIEWS:

1. Single family residential development.
2. Allow a street to terminate into a hammerhead street design where a radius cul-de-sac per Uniform Standard Drawing 212 is the preferred turnaround within residential subdivisions per Section 30.56.080.

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.1
- Number of Lots: 8
- Density (du/ac): 4.0
- Minimum/Maximum Lot Size (square feet): 7,930/10,440
- Project Type: Single family residential
- Number of Stories: Up to 2
- Building Height (feet): Up to 24
- Square Feet: 2,752 to 3,226

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify 2.1 acres from an R-E zoning district to an R-1 zoning district for a single family residential development. The applicant conducted a neighborhood meeting at the Enterprise Library on August 22, 2022, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site and 4 neighbors attended the meeting. According to the applicant, the neighbors had concerns with the placement of 2 story homes, density, and compatibility with adjacent homes, grading, and wall heights and locations.

Site Plans

The plans depict a proposed single family residential development consisting of 8 residential lots and 2 common element lots at a density of 4.0 dwelling units per acre. Lot sizes range from a minimum of 7,930 square feet to a maximum of 10,440 square feet, with an average lot size of 8,641 square feet. The lots will be served by a 40 foot wide private street with no sidewalk that terminates into a hammerhead. Access to the development is from Eldorado Lane.

Landscaping

A 15 foot wide landscape area with a detached sidewalk is provided along Eldorado Lane and Bermuda Road. The landscape palette consists of Blue Palo Verde trees and Cliff Goldenbush shrubs.

Elevations

The plans show 3, one story models and 1, two story model up to 24 feet high, with 2 types of elevation designs. Building materials consist of stucco finish, stucco pop-outs, stone veneer, decorative shutters, and tile roofing.

Floor Plans

The plans depict homes ranging in size from 2,752 square feet to 3,226 square feet with 3 to 5 bedrooms, 2.5 to 3.5 baths, and 3 car garages.

Applicant's Justification

The applicant states that the proposed development will provide a buffer between the more intense residential and quasi-commercial developments to the north and northeast and the low density homes to the south and west. The proposed development will also provide varied housing options while still being compatible with the adjacent rural land uses. Additionally, the applicant states that the proposed hammerhead street design will not cause adverse impacts since each of the homes have 3 car garages and driveways, and the widths of the lots will allow for adequate on-street parking.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential

Surrounding Land Use

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

Related Applications

Application Number	Request
VS-23-0011	A vacation and abandonment of government patent easements and 5 foot wide portions of right-of-way being Eldorado Lane and Bermuda Road is a companion item on this agenda.
TM-23-500004	A tentative map for an 8 lot single family residential subdivision 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

Comprehensive Planning

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

- 1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

Staff finds that there has been no change in law, policies, trends, or facts since adoption of the land use plan that have substantially changed the character or condition of the area. Eldorado Lane and Bermuda Road have acted as a boundary line between the Ranch Estate Neighborhood uses/Rural Neighborhood Preservation area and the more intense R-1 & R-D zoned residential areas north of Eldorado Lane and the school and place of worship uses east of Bermuda Road. Development in the area has been in line with the land use plan, and the establishment of R-1 zoning on this site would break from the plan and intrude into an established Ranch Estate Neighborhood.

- 2. The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

Staff finds the proposed density allowed with the R-1 zone change not compatible with the adjacent R-E zoned single family residences to the west and south that are developed at less than

2 dwelling units per acre. Zoning and land use categories more intense than 2 dwelling units per acre have purposely been kept north of Eldorado Lane and east of Bermuda Road.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

There has been no indication from service providers that the approval of this request will have a substantial adverse effect on public services and facilities in this area. Information provided by the Clark County School District (CCSD) indicates this site would be served by Hill Elementary School and Wiener Elementary School (shared attendance boundary), Schofield Middle School, and Silverado High School. CCSD indicates that all of the schools are currently under capacity.

4. *The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.*

The applicant states the request complies with Policy 1.1.1 and Policy 6.1.3 of the Master Plan which encourages a mix of housing types and a variety of density and intensity. However, the request does not comply with Policy 1.5.1 which encourages the protection of existing Rural Neighborhood Preservation (RNP) areas; and Policy 1.5.2 which promotes protecting the established character and lifestyles associated with RNP areas and minimizing future conflicts with higher intensity development planned on sites that are adjacent to RNP areas.

Summary

Zone Change

Staff finds that there has not been a change in law and policies that make this request appropriate for the area. The reclassification of this site to R-1 zoning would allow development that is incompatible with the adjacent and developed R-E zoned single family residences to the west and south. Although the project will not have an adverse effect on public facilities and services, the project does not comply with other applicable adopted plans, goals, and policies. Staff finds that the proposed request does not satisfy all of the requirements of a compelling justification to warrant approval of the nonconforming zone boundary amendment to R-1 zoning; therefore, staff recommends denial of the zone change request.

Design Review #1

The proposed single family development is too intense for the area and is not compatible with the adjacent R-E and R-E (RNP-I) zoned single family residences to the south and west, respectively. The subdivision design does not incorporate appropriate buffers and transitions to the adjacent single family residences to the south and west; and therefore, does not comply with Policy 1.5.2 which encourages sites adjacent to RNP areas to incorporate transitioning densities with larger lots and clustering higher intensity housing units away from the shared edge of the RNP. Historically, the County has encouraged minimum 10,000 square foot lots when adjacent to and transitioning from R-E and RNP-I zoned single family residential lots, which the proposed subdivision does not provide. Therefore, staff cannot support this request.

Design Review #2

Staff cannot support the proposed hammerhead street design as the County's preferred turnaround with residential subdivisions is a radius cul-de-sac design. The proposed hammerhead design could cause issues for emergency vehicles that need to turnaround to exit the subdivision, particularly if vehicles park on-street within the hammerhead.

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

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 19, 2023 at 9:00 a.m., unless otherwise announced.

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:

Comprehensive Planning

If approved:

- Resolution of Intent to complete in 4 years;
- 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 Master Plan amendment and a 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; 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;
- Traffic study and compliance;
- Full off-site improvements.
- 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 #0350-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: ADAVEN HOMES, LLC

CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118