

SETBACKS
(TITLE 30)

UPDATE
PACIFIC ST/EMERSON AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-20-0438-REGENCY COVE 2.47 TRUST:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce rear setbacks; and 2) increase wall height.

DESIGN REVIEW for a single family residential development on 2.6 acres in an R-1 (Single Family Residential) Zone.

Generally located on the east side of Pacific Street, approximately 700 feet south of Emerson Avenue within Paradise. TS/bb/jd (For possible action)

RELATED INFORMATION:

APN:
162-13-201-040

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce rear setbacks to 15 feet where 20 feet is required per Table 30.40-2 (a 25% reduction).
2. Increase nondecorative wall height to 12 feet (6 feet retaining and 6 feet screen) where a maximum wall height of 9 feet (3 feet retaining and 6 feet screen) is allowed per Section 30.64.020 (a 33% increase).

LAND USE PLAN:

WINCHESTER/PARADISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.6 (**current phase**)/9.3 (**overall subdivision**)
- Number of Lots/Units: 16 (**current phase**)/46 (**overall subdivision**)
- Density (du/ac): **4.9 (overall subdivision)**
- Height (feet): 17
- Minimum/Maximum Lot Size (square feet): 5,207/8,008
- Project Type: Single family residential

Site Plans

The plans depict a single family residential development totaling 16 single family lots and 1 common area lot on 2.6 acres, **which is the last phase of the overall subdivision.** When

completed, the Emerson Estates subdivision will contain a total of 46 homes on 9.3 acres for a density of **4.9 dwelling units per acre**. The lots range in size from a minimum of 5,207 square feet to a maximum of 8,008 square feet.

The overall subdivision was approved in 1998 for R-1a zoning and was limited to 50 lots and a maximum density of 5 dwelling units per acre. Previous phases of the subdivision were developed as a planned unit development. The zoning was made permanent in April 2000. After the adoption of Title 30, all parcels which were zoned R-1a were rezoned to R-1. This phase completes the development with an overall density and number of lots in conformance with the original zone change.

Landscaping

Alternative front yard setbacks will be required to meet the R-1 zone, Table 30.40-2 standards at the time of construction. This may include 2 trees planted adjacent to the street frontage.

Elevations

The 6 single story plans, depict 3 elevations each, with a variety of roof materials, entry designs, façade treatments, and window designs. All roof surfaces are shown with a 4:12 slope. The elevation materials consist of stucco finished walls with decorative stone veneer accents, window articulation, and concrete tile roofs.

Floor Plans

The floor plans depict 6 single story homes ranging in size from 1,760 square feet to 2,455 square feet. These homes are substantially smaller than the developed homes. Only 2 of the 31 existing homes in Emerson Estates subdivision are single story homes. The average floor area of the existing 31 single family homes are approximately 2,900 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is proposing to complete the Emerson Estates subdivision with a 16 lot tentative map and this proposed waiver application, **which will complete the overall subdivision**. The applicant proposes a waiver to reduce rear yard setbacks and allow an increased wall height to accommodate a 12 foot high wall (6 foot block wall and 6 foot retaining wall) at the rear of lot 6.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------------------|---|------------------------|--------------------|
| TM-0373-04 | 24 single family residential lots (portion recorded; remainder - expired) | Approved by PC | August 2004 |
| ZC-0016-98 (ET-0067-00) | First extension of time for an R-1a zoned subdivision | Approved by BCC | April 2000 |
| VC-0104-00 | Reduced setbacks in conjunction with a single family residential development | Approved by PC | March 2000 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------------|--|------------------------|-----------------------|
| DR-1945-98 (ET-0421-99) | First extension of time for 24 single family residential lots | Approved by PC | December 1999 |
| UC-1266-98 (ET-0300-99) | First extension of time for a single family residential controlled access PUD | Approved by PC | September 1999 |
| DR-1945-98 | 24 single family residential lots | Approved by PC | December 1998 |
| UC-1266-98 | Single family residential controlled access PUD | Approved by PC | September 1998 |
| VS-1252-98 | Vacated and abandoned patent easements | Approved by BCC | September 1998 |
| TM-0199-98 | 45 single family residential lots (portion recorded; remainder - expired) | Approved by PC | September 1998 |
| ZC-0016-98 | Reclassified to R-1a zoning for up to 50 single family residential lots | Approved by BCC | April 1998 |

*The zoning was changed from R-1a to R-1 after the adoption of Title 30 in July 2000.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|------------------------|-------------------------------------|
| North | Residential Suburban (up to 8 du/ac) | R-1 | Single family residential |
| South | Residential Suburban (up to 8 du/ac), Public Facilities | R-1 | Drainage channel |
| East | Institutional, Public Facilities | R-1 & P-F | Place of worship & drainage channel |
| West | Residential Suburban (up to 8 du/ac) | R-2 | Single family residential |

Related Applications

| Application Number | Request |
|---------------------------|---|
| TM-20-500150 | A tentative map for 16 single family 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**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 use of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner. There are no adjacent residential uses to the south or east of the proposed new lots that would be impacted by the decrease in rear setbacks. The proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate neighborhood, and will not be materially detrimental to the public welfare. The rear yards are not visible to the traveling public or local residents. The granting of such application shall be in harmony with the general purpose, goals, objectives and standards of the Comprehensive Master Plan and Title 30. The proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities or services. A 5 foot decrease in rear yard setbacks will not adversely impact the drainage channel located at the rear of each property.

Waiver of Development Standards #2

The 6 foot wall and 6 foot retaining wall located at the rear of lot 6 will not adversely impact the area adjacent to the property, when considering the adjacent property is a major drainage channel with no public access. The 12 foot total wall height will not materially affect the health and safety of persons residing in, working in, or visiting the immediate area. The proposed wall will not create an undue burden on any public improvement, facilities or services.

Design Review

The proposed development is consistent with the Comprehensive Master Plan, Title 30, and other regulations, plans and policies of the County. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic. Elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable or obnoxious in appearance. Elevations, design characteristics and other aesthetic features create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that 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 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance.

Building Department - Fire Prevention

- 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 #0186-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval.

APPROVALS: 2 cards

PROTESTS: 1 card

PLANNING COMMISSION ACTION: November 17, 2020 – HELD – To 01/05/21 – per the applicant.

PLANNING COMMISSION ACTION: January 5, 2021 – HELD – To 01/19/21 – per the applicant.

APPLICANT: SIGNATURE HOMES

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