

SINGLE FAMILY RESIDENTIAL SUBDIVISION  
(TITLE 30)

**UPDATE**  
CAMERON ST/LE BARON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**NZC-20-0477-COUNTY OF CLARK(AVIATION):**

**HOLDOVER AMENDED ZONE CHANGE** to reclassify 18.8 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** allow non-standard improvements in the right-of-way (no longer needed); **3)** alternative driveway geometrics (no longer needed); and **4)** reduce intersection off-set (a portion no longer needed).

**DESIGN REVIEW** for a single family residential subdivision.

Generally located on the south side of Le Baron Avenue, the west side of Cameron Street, the north side of Pyle Avenue, and the east side of Ullom Drive within Enterprise (description on file). JJ/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**

177-30-202-002; 177-30-202-003; 177-30-202-006; 177-30-204-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the rear setback for principal structures (residences) to 10 feet where 15 feet is the minimum required per Table 30.40-2 (a 34% reduction).
2. Allow a nonstandard improvement (landscape median) in the right-of-way where not allowed per Section 30.52 (no longer needed).
3. Reduce the distance from driveways to the back of curb radii at intersections to 6 feet where 12 feet is the minimum per Uniform Standard Drawing 222 (a 50% reduction) (no longer needed).
4.
  - a. Reduce intersection off-set between Pyle Avenue and Avenue I to 95 feet where 125 feet is the minimum per Section 30.52.052 (a 24% reduction).
  - b. Reduce intersection off-set between Street A and Street C to 80 feet where 125 feet is the minimum per Section 30.52.052 (a 36% reduction) (no longer needed).

**LAND USE PLAN:**

ENTERPRISE - BUSINESS AND DESIGN/RESEARCH PARK

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 18.8
- Number of Lots/Units: 183
- Density (du/ac): 9.8
- Minimum/Maximum Lot Size (square feet): 2,800/**4,165**
- Project Type: Single family residential subdivision
- Number of Stories: 2
- Building Height: Up to 24 feet, 4 inches
- Square Feet: 1,715 to 1,865
- Open Space Required/Provided: 36,600/**50,653**
- Parking Required/Provided: 403/549

#### **Neighborhood Meeting Summary**

Notices were mailed to the required surrounding property owners, and a neighborhood meeting was held on September 8, 2020. Three neighbors attended the meeting who all expressed support for the project.

#### Site Plans

The plans depict a 183 lot single family subdivision. The subdivision encompasses the entire area between Le Baron Avenue to the north, Pyle Avenue to the south, Cameron Street to the east, and Ullom Drive to the west, except for a 0.9 acre parcel at the northeast corner of Pyle Avenue and Ullom Drive.

Entrances to the subdivision are provided from Cameron Street on the east and from Pyle Avenue on the south. A waiver of development standards **is** necessary to reduce the street intersection off-sets for the Pyle Avenue entrance **and the first east/west internal street (Avenue I) to 95 feet.**

Streets within the subdivision are 49 feet wide public streets with 5 foot wide sidewalks on both sides, **except for the entrance from Pyle Avenue, which is 47 feet wide with sidewalks on both sides.** The internal streets run north/south and east/west to provide a well-connected internal network. Stub streets are limited to 4 instances, and the 2 stub streets that face east provide pedestrian access to Cameron Street to improve connectivity. Lastly, the residential lots along Cameron Street face out of the subdivision and receive access from Cameron Street. Similarly, the residential lots along Ullom Drive face out of the subdivision and receive access from Ullom Drive. The remainder of the lots receive access from the internal network of public streets.

A waiver of development standards is also requested to reduce the rear setback for all the principal structures (residences). The applicant is requesting a reduction to 10 feet where 15 feet is the minimum rear setback.

### Landscaping

The **50,653** square feet of open space includes a **42,214** square foot common element along the entire frontage of Le Baron Avenue to the north. This area is within an electrical power easement, and will include pedestrian pathways and landscaping. Additional landscaping is provided on the north, south, and west sides of the street entrance from Cameron Street and the east, west, and north sides of the street entrance from Pyle Avenue. A parklet near Pyle Avenue is 4,094 square feet.

Street landscaping along Pyle Avenue includes a 15 foot wide strip with a detached sidewalk. Street landscaping is also provided along a northeast portion of Cameron Street and along portions of the internal streets within the subdivision. The sidewalks along Le Baron Avenue, Cameron Street, and Ullom Drive will be attached.

### Elevations

Elevations of the 2 story homes extend up to 24 feet 4 inches, and materials include painted stucco and concrete barrel tile on pitched roofs. Additional features on some models include brick veneer around the base of the front elevation and faux shutters on the front windows facing the right-of-way. Stucco pop-outs surround the windows on other elevations of the residences.

### Floor Plans

The various floor plans are 1,715 square feet, 1,795 square feet, or 1,865 square feet. All the models include a garage, kitchen, great room, bedrooms, and bathrooms.

### Applicant's Justification

The applicant indicates that this subdivision will be a welcomed addition to the surrounding area, and the development will provide needed housing at a lower price point. The waivers of development standards are necessary and will not create any negative impacts. For example, the larger home models require a reduced rear setback, but additional open space is provided in the subdivision. Lastly, the street intersection off-**set is partially** internal to the subdivision.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Public Facilities & Commercial General	P-F & R-E	Undeveloped (approved for a flood control detention basin)
South	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped (approved for a 96 lot single family residential subdivision)
East	Residential Suburban (up to 8 du/ac) & Residential High (8 du/ac to 18 du/ac)	R-E & R-2	Undeveloped (approved for a 214 lot single family subdivision) & existing 15 lot single family subdivision
West	Business and Design/Research Park	R-E & C-2	Undeveloped & tavern

### Related Applications

Application Number	Request
VS-20-0478	A vacation and abandonment for easements and right-of-way is a companion item on this agenda.
TM-20-500165	A tentative map for a 183 lot single family 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

#### Current 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.*

The Enterprise Land Use Plan was last amended in 2019; however, several similar requests for residential zoning have been approved in the area over the last year. A 214 lot single family subdivision zoned R-2 was approved to the east of Cameron Street, and a 96 lot single family subdivision zoned R-2 was approved south of Pyle Avenue. As a result, the area is trending towards denser residential zoning since the last amendment of the Enterprise Land Use Plan. In addition, the most recent update to the Enterprise Land Use Plan was cancelled in July 2020 due to the COVID-19 pandemic, which prevented a comprehensive review of land use trends in Enterprise.

- 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.*

The R-2 zoned single family subdivision to the east was approved with a density of 7.6 dwelling units per acre, and the R-2 zoned single family subdivision to the south was approved with 7 dwelling units per acre. As a result, the proposed RUD zoning, which would allow up to 14 dwelling units per acre is compatible with the approved uses, and it will provide an appropriate transition from the lower density single family subdivisions to the more intense planned uses to the west and north. The vacant land to the west is planned Business and Design/ Research Park and the vacant land to the north is planned Commercial General. Although development on these parcels may also trend residential, the potential office, warehouse, commercial, or residential uses will most likely be more intense due to the frontage along Decatur Boulevard, an

arterial street. As a result, the proposed RUD zoning will still be an appropriate transition between the R-2 zoned subdivisions and the more intense planned uses to the west and north.

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.*

According to the applicant, there will be no substantial adverse effects on public facilities and services in the area from the nonconforming zone boundary amendment. In addition, there was no indication from the various service providers that the project would have a negative impact on public facilities and services. However, the Clark County School District indicated that in the 2019-2020 school year, Tarkanian Middle School was at 129 percent capacity and Desert Oasis High School was at 124 percent capacity.

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

The proposed nonconforming zone boundary request conforms to several goals and policies in the Comprehensive Master Plan. For example, Land Use Goal 7 encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. The RUD zoning will provide housing options at a more affordable price point. In addition, Growth Management Policy 1 encourages development of vacant parcels within serviced areas. Although this site is surrounded by vacant parcels, the site is in an urban part of Clark County, which is serviced by the necessary infrastructure. Lastly, Urban Specific Policy 7 encourages land uses that are complementary and of similar scale and intensity. The proposed RUD zoning is an appropriate transition from the approved R-2 zoning to the east and south to the more intense uses planned to the west and north.

## **Summary**

### **Zone Change**

Residential subdivisions have been approved to the east and south of the site within the last year, which indicates a trend in residential development in the area since the last Enterprise Land Use Plan amendment. In addition, the proposed zoning allows a similar density and intensity of uses as the surrounding approved subdivisions. Lastly, the nonconforming zone boundary amendment will not create any negative effects on public facilities and services, and the zoning complies with applicable goals and policies. Therefore, staff can support the request.

### **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

Urban Specific Policy 39 encourages appropriate setbacks with single family residential developments. A reduction to 10 feet for the rear setback could be appropriate if additional open space and connectivity is provided in the subdivision. The **42,214** square foot open space area along Le Baron Avenue will provide outdoor amenities for residents in the subdivision, and the pedestrian connections from the stub streets to Cameron Street will improve connectivity. However, staff also recommends that lots 166, 167, and 168 be removed and converted to open space as well. This will further improve the pedestrian connectivity for residents internal to the subdivision to access the open space near the entrance from Pyle Avenue. Since the residents will have reduced rear yards, access to nearby useable open space becomes critical for physical and mental health benefits. With this condition of approval, staff can support the request to reduce the rear setback for the lots in the subdivision.

#### Design Review

The overall subdivision includes a well-connected internal street network, additional pedestrian connections to Cameron Street, and residential lots along Cameron Street and Ullom Drive facing outwards, rather than into the subdivision. Each of these components help make the design appropriate and integrated into the surrounding community. However, since the residential lots face outwards from the subdivision on Cameron Street and Ullom Drive, there may be a lack of available on-street parking due to the narrow lots and distance between driveways. Nevertheless, the overall design is consistent with Urban Specific Policy 10, which encourages development to be compatible with adjacent land uses and circulation patterns. Therefore, staff can support the request.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

**(No longer needed)**

##### Waiver of Development Standards #3

**(No longer needed)**

##### Waiver of Development Standards #4a

**Since the applicant redesigned to the to eliminate the driveway separation waiver and the smaller of the 2 intersection off-set waivers, staff can now support this request.**

##### Waiver of Development Standards #4b

**(No longer needed)**

#### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran 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 McCarran International Airport facilities to meet future air traffic demand.

**Staff Recommendation**

**Approval.** This item has been forwarded to the Board of County Commissioners' meeting for final action.

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.

**STAFF CONDITIONS:****Current Planning**

- Remove lots 166, 167, and 168 and convert them to useable open space connecting the adjacent open space on Avenue I with the open space at the knuckle of Street B and Avenue H.

**PLANNING COMMISSION ACTION:** December 15, 2020 – APPROVED – Vote: Aye: Frasier, Kirk, Nguyen, Tagliaferri Nay: Kilarski Absent: Stone, Morley

**Current Planning**

- Resolution of Intent to complete in 4 years;
- No permits shall be issued until the deed conveying ownership of the parcels to the applicant, D.R. Horton, Inc., or its successors or assigns, is recorded;
- Design review as a public hearing for significant changes;
- Maintain pedestrian connections between the 2 stub streets and Cameron Street;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that developments exceeding 500 dwelling units by successive additions will be considered High Impact Projects (combined with the subdivision to the east of Cameron Street, the successive development is currently 397 units); 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; 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**

- Lot 176 to be removed to meet Uniform Standard Drawing 222 (back of curb radius to driveway);
- No street parking on Avenue I (Lots 172 thru Lots 183);
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 19 feet Cameron Street and associated spandrel;
- Coordinate with Kathleen Kingston in Public Works to grant necessary easements for the Silverado Ranch Detention Basin project;
- The installation of detached sidewalks will require the vacation of excess right-of-way together with a subdivision map granting necessary easements for utilities, pedestrian

access, streetlights, and traffic control or the execution of 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; 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.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0152-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS: 2 cards**

**PROTESTS: 1 card**

**COUNTY COMMISSION ACTION:** January 19, 2021 – HELD – To 02/03/21 – per the applicant.

**APPLICANT:** D.R. HORTON, INC.

**CONTACT:** AIMEE ENGLISH, TRITON ENGINEERING, 6757 W. CHARLESTON BLVD, SUITE B, LAS VEGAS, NV 89146