

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

**UPDATE**  
MOHAWK ST/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-20-0489-DFFO LLC ET AL & ROOHANI KHUSROW FAMILY TRUST:**

**HOLDOVER AMENDED ZONE CHANGE** to reclassify 6.4 acres from H-2 (General Highway Frontage) Zone, C-P (Office and Professional) Zone, and R-E (Rural Estates Residential) Zone to R-2 (Medium Density Residential) Zone for a single family residential development.

**WAIVER OF DEVELOPMENT STANDARDS** to increase wall height (previously not notified).

**DESIGN REVIEWS** for the following: **1)** single family residential development; **2)** increased finished grade; and **3)** hammerhead design cul-de-sacs.

Generally located on the east and west sides of Edmond Street and the north side of Ford Avenue within Enterprise (description on file). JJ/lm/jd (For possible action)

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RELATED INFORMATION:

**APN:**

176-13-701-018 through 176-13-701-022

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase combined screen wall and retaining wall height to 15 feet (9 foot retaining wall and 6 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Figure 30.64-15 (a 66% increase) (previously not notified).

**DESIGN REVIEWS:**

1. Single family residential development.
2. Increase the finished grade for a single family residential development to 90 inches (previously notified as 42 inches) where a maximum of 18 inches is the standard per Section 30.32.040 (a 400 % increase) (previously notified as 140% increase).
3. Allow a street terminating in a hammerhead design where a radius cul-de-sac per Uniform Standard Drawings is preferred per Section 30.56.080.

**LAND USE PLAN:**

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 6.4
- Number of Lots: **31 lots with 8 common element lots**
- Density (du/ac): **4.8**
- Minimum/Maximum Lot Size (square feet): **5,347/8,751**
- Project Type: Single family residential development
- Number of Stories: **1**
- Building Height (feet): **16.1 to 18.9**
- Square Feet: **1,724 to 2,531**
- Open Space Required/Provided: **0/14,518**

#### Site Plans

The plans depict a single family residential subdivision consisting of **31** lots with a density of **4.8** dwelling units per acre. The lots range in area between **5,347** square feet to **8,751** square feet **with an average lot size of 6,932 square feet**. The site has frontage along Mohawk Street to the west, Ford Avenue to the south, and Edmond Street bisecting the west and east portions of the development. Lots on the west side of the development will **either** have direct access to Mohawk Street **or from a 49 foot wide east/west public street with sidewalks on both sides of the street**. Access to the remaining lots, **east of Edmond Street** are via 43 foot wide private streets which include a sidewalk on 1 side of the street and end in either a stub street or hammerhead design cul-de-sac. The plans also depict that the finished grade of the site will be increased to **7.5** feet in specific areas. Common element lots are located along Ford Avenue, Edmond Street, and internal to the site.

#### Landscaping

The plans depict the required 6 feet of landscaping **located back of sidewalk** along Ford Avenue and **the east side of** Edmond Street. **Adjacent to the side yards of 6 lots (Lots 9, 10, 13, 31, 21 and 22), there are 5 foot and 6 foot wide landscape areas. The west side of Edmond Street includes a 50 foot wide NV Energy easement which is located in the proposed front yards of 4 lots facing Edmond Street.** The **landscape** common element **areas** include large trees, shrubbery, and groundcover unless designated for future drainage.

#### Elevations

The development will provide **1** story model homes with heights ranging from **16.1** feet to **18.9** feet. The plans submitted by the applicant depict **8** different models with each model having potential variations. The building materials consist of concrete tile roofs, stucco finished walls with stone veneer enhancements, decorative pop-outs, and fenestrations on windows and doors on all sides of the models.

### Floor Plans

The plans depict **8** different models with 2 car garages, and range between **1,724** to **2,531** square feet. The models include a kitchen, dining room, bathrooms, bedrooms, with options for **RV garages** and **multi-generational** rooms.

### Applicant's Justification

The applicant indicates that this request is a conforming zone change to R-2 zoning with a design review for the site design and single family residential homes in support of the proposed residential project. The design of the homes adheres to all Title 30 standards, including but not limited to, meeting all setback and landscaping requirements. The applicant indicates that the typical large bulb on a cul-de-sac is not conducive to the small lot product proposed. The hammerhead is offset, deeper, longer, and provides a bigger area for maneuverability than a standard hammerhead as allowed by Code. No parking will be allowed on the hammerhead.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0528-06	Reclassified 1.2 acres to CRT zoning for future office - expired	Approved by BCC	May 2006
ZC-0985-02	Reclassified 2.1 acres to C-P zoning for future offices	Approved by BCC	August 2002
UC-0480-99	Power transmission corridor	Approved by PC	May 1999

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Rural Neighborhood Preservation (up to 2 du/ac) & Residential Suburban (up to 8 du/ac)	H-2, R-E & R-E (RNP-I)	Single family residential & undeveloped
South	Residential Suburban (up to 8 du/ac) & Business and Design/Research Park	M-D	Commercial & undeveloped
East	Residential Medium (3 du/ac to 14 du/ac) & Commercial General	RUD & C-2	Single family residential & retail development
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-20-0490	A request to vacate patent easements is a companion item on this agenda.
TM-20-500169	A tentative map for a 46 lot single family residential development 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

This request conforms to the Enterprise Land Use Plan which designates this site as Residential Suburban and conforms to Urban Specific Policy 41 of the Comprehensive Master Plan to encourage buffering between single family areas and higher density residential and commercial designations. The requested zoning and density for this application are consistent and compatible with the existing and approved nearby land use designations and as a transition area. This development provides a buffer between the commercial and industrial development to the south and the Rural Neighborhood Preservation properties to the north; therefore, staff supports the zone change.

##### 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.**

**The proposed increased wall height to 15 feet is located along a portion of the east property line adjacent to an existing screen wall for an existing developed residential subdivision. Staff is concerned about the impact on the residential development. Since staff is not supporting the design and layout of this project, staff cannot support this waiver request.**

##### Design Review #1

Staff finds that the proposed single family residential development is partially consistent and compatible with approved and planned land uses in the area to the east and south, and complies with Urban Specific Policy 10 of the Comprehensive Master Plan. The policy encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. However, Urban Specific Policy 38 encourages new residential developments adjacent to existing rural estate residential areas, such as those along the north boundary of the proposed development, to transition at appropriate densities with lot sizes of 10,000 square feet or greater, which the proposed design does not provide. The design of the home models, including the bulk and massing of the elevations, comply with Urban Specific Policy 43 by providing varied elevations with articulated building facades. Additionally, staff has concerns with the function of the subdivision without 10,000 square foot buffer lots, **and** with the hammerhead design **on the east side of the proposed development**; therefore, staff is not supporting design review #1.

### Design Review #3

Title 30 restricts the use of the hammerhead design for the termination of streets with a radius cul-de-sac as the preferred design. Staff finds that since the development is of sufficient area, the County preferred design of a radius cul-de-sac could and should be accommodated. As with previous requests, staff is concerned that once designed with the building placement and driveway locations, the functional circulation will be impacted with cars that may be parked on the street. Staff finds the applicant has not provided sufficient justification to allow the hammerhead design; therefore, staff cannot support this portion of the request.

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

#### Design Review #2

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since Planning is not supporting the design of the subdivision, staff cannot support this request.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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 of the zone change; denial of the **waiver of development standards and** design reviews.

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**

If approved:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Provide 10,000 square foot lots adjacent to the developed rural estate residential lots along the north property line between Maverick Street and Edmond Street;

- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- 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 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 design reviews must commence within 4 years of approval date or they will expire.

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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include the spandrel at the intersection of Mohawk Street and Ford Avenue.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace

determinations include expiration dates; that separate airspace determinations will be needed for construction cranes or other temporary equipment; 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.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0145-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS: 6 cards**

**PROTESTS: 7 cards**

**COUNTY COMMISSION ACTION:** December 16, 2020 – HELD – To 01/06/21 – per the applicant.

**COUNTY COMMISSION ACTION:** January 6, 2021 – HELD – To 02/03/21 – per the applicant.

**COUNTY COMMISSION ACTION:** February 3, 2021 – HELD – To 02/17/21 – per the applicant.

**APPLICANT:** WILLIAM LYON HOMES INC DBA TAYLOR MORRISON HOMES

**CONTACT:** KATHRINE LOGAN, ACTUS, 3283 EAST WARM SPRINGS ROAD, SUITE 300, LAS VEGAS, NV 89120