

02/17/21 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

UPDATE
DEAN MARTIN DR/FRIAS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-20-0574-LH VENTURES, LLC:

HOLDOVER ZONE CHANGE to reclassify 22.5 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** alternative driveway geometrics; and **2)** reduce intersection off-set.

DESIGN REVIEWS for the following: **1)** a single family residential subdivision; and **2)** increased finished grade.

Generally located on the west side of Dean Martin Drive and the south side of Frias Avenue within Enterprise (description on file). JJ/rk/jd (For possible action)

RELATED INFORMATION:

APN:

177-29-403-001; 177-29-406-003; 177-29-406-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the distance from driveways to the back of curb radii at intersections to 4 feet, 7 inches where 12 feet is the minimum required per Uniform Standard Drawing 222 (a 62% reduction).
2. Reduce intersection off-set between Dean Martin Drive and Street F to 95 feet where 125 feet is the minimum required per Section 30.52.052 (a 24% reduction).

DESIGN REVIEWS:

1. A single family residential development.
2. Increased finished grade up to 90 inches (7.5 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 400% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL MEDIUM (FROM 3 DU/AC TO 14 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 22.5
- Number of Lots: 209

- Density (du/ac): 9.3
- Minimum/Maximum Lot Size (square feet): 2,657/6,493
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): Up to 25
- Square Feet: 1,715/1,865
- Open Space Required/Provided: 41,800/63,872

Site Plans

The plans depict a single family residential development consisting of 209 lots on 22.5 acres at a density of 9.3 dwelling units per acre. The minimum and maximum lot sizes are 2,657 square feet and 6,493 square feet, respectively. The primary ingress and egress to the proposed development is via a private street, Street G, which connects to Dean Martin Drive. The other primary entrance to the proposed development is via a private street, Street A, which connects Frias Avenue to Rush Avenue. The interior of the development is serviced by a network of 43 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street. Common element Lot F, consisting of 20,556 square feet of open space, is centrally located within the development and will include on-site pedestrian paths, pavilions, and benches. In addition, there is 30,190 square feet of common open space provided interior to the development.

Landscaping

Street landscaping consists of a 15 foot wide area which includes 5 foot wide detached sidewalk along Dean Martin Drive and Frias Avenue. Along Rush Avenue and Polaris Avenue landscaping consists of a 6 foot wide area behind an attached 5 foot wide sidewalk. Internal to the site a network of common open space, which will be interconnected, is located throughout the development. These community elements will include on-site pedestrian paths, pavilions and benches for the future residents. The development requires 41,800 square feet of open space where 63,872 square feet of open space is provided.

Elevations

The plans depict 3 different model homes each featuring 3 varying elevation models. The 2 story model homes have a maximum height of up to 25 feet. The proposed models consist of a stucco exterior with a pitched, concrete tile roof and depict different options on the elevations such as pop-outs, shutters, window trims, and stone veneer.

Floor Plans

The plans depict 2 story model homes ranging in size from 1,715 square feet to 1,865 square feet depending on the options selected by the home buyer. The first floor of every unit will contain a 2 car garage with a 20 foot long driveway.

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 applicant indicates since the proposed development is at a lower density, the project will serve as a transitional land use from the planned and existing commercial developments to the east and south. More specifically, the property is surrounded by residential land uses to the north RL (Residential

Low) and RS (Residential Suburban); to the west by RS (Residential Suburban) and RM (Residential Medium) and to the south by RS (Residential Suburban) and CG (General Commercial). According to the applicant, the waiver of development standards is appropriate since the reduced setbacks to the street are internal to the subdivision street and will not impact the adjacent properties or future residents of the development. A design review for excess fill is requested in order to meet the drainage criteria for the proposed layout.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-18-700020	Redesignate the land use category of this site to RM (Residential Medium) for the undeveloped parcels south of Frias Avenue	Approved by BCC	March 2019
NZC-0340-13	Reclassified a portion of this site to R-1 zoning for a single-family residential subdivision – expired	Approved by BCC	November 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Low (up to 3.5 du/ac)	R-E & R-D	Undeveloped & single family residential
South	Residential Suburban (up to 8 du/ac) & Commercial General	C-1 & C-2	Convenience store, gas station, & undeveloped
East	Residential Suburban (up to 8 du/ac) & Commercial General	R-E & C-2	Undeveloped
West	Residential Suburban (up to 8 du/ac) & Commercial Neighborhood	R-E & C-2	Undeveloped & single family residential

Related Applications

Application Number	Request
VS-20-0575	A request to vacate government patent easements and BLM right-of-way grants is a companion item on this agenda.
TM-20-500199	A tentative map to subdivide the site into 209 single family residential lots on 22.5 acres 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 for a zone boundary amendment conforms to the Enterprise Land Use Plan which designates this site as Residential Medium (from 3 du/ac to 14 du/ac). The development is consistent and compatible with the proposed and approved land uses in the area. Therefore, staff supports the zone change 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.

Design Review #1

The overall subdivision includes ample open space with residential lots that face outwards, rather than into the subdivision. Staff finds each of these components help make the design appropriate and integrated into the surrounding community. The design of the elevations and floor plans comply with Urban Specific Policy 43 by providing a variety of elevations with articulated building facades. However, since the waivers are an integral part of the design of this project, which Public Works is not supporting, staff cannot support the design review request.

Public Works - Development Review

Waiver of Development Standards #1

Staff cannot support the reduction in the distance from the residential driveways to the back of curb radii due to safety concerns. The minimum required distance is intended to allow vehicles using the driveways on the corner lots to be able to safely do so without other vehicles being impacted by sudden vehicular movements on these lots.

Waiver of Development Standards #2

In addition to waiver #1, the reduction in the street intersection off-set would compound the hazards with traffic trying to enter and exit the subdivision. Drivers traveling on Dean Martin Drive will first need to slow down for vehicles accessing the subdivision and then immediately face an additional slowing or stop condition since the residential driveways are so close to the intersection. Therefore, staff cannot support this waiver request.

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.

Staff Recommendation

Approval of the zone change; denial of the waivers 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;
- 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 waivers of development standards and 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 35 feet to the back of curb for Dean Martin Drive, 30 feet for Frias Avenue, 30 feet for Rush Avenue, 30 feet for Polaris Avenue with a portion of a knuckle at the intersection of Rush Avenue and Polaris Avenue, and associated spandrel.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control; and 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0008-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS: 2 cards

PROTESTS: 18 cards

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

APPLICANT: D.R. HORTON

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