

03/03/21 BCC AGENDA SHEET

SINGLE FAMILY DEVELOPMENT
(TITLE 30)

RAINBOW BLVD/COUGAR AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400003 (NZC-19-0982) -KB HOME LV SAGE GLEN LLC:

WAIVER OF CONDITIONS of a zone change requiring an 8 foot tall wall as measured from existing grade of APN 176-15-801-030; 8 foot tall wall adjacent to existing commercial; and 8 foot tall wall adjacent to Rosanna Street in conjunction with a previously approved single family residential development on 24.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the west side of Rainbow Boulevard and the south side of Cougar Avenue (alignment) within Enterprise. JJ/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

176-15-701-017; 176-15-701-018; 176-15-701-021; 176-15-701-022; 176-15-701-030; 176-15-801-001; 176-15-801-006; 176-15-801-041 through 176-15-801-042

LAND USE PLAN:

ENTERPRISE - COMMERCIAL GENERAL

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 24.8 (gross)/21.2 (net)
- Number of Lots/Units: 169
- Density (du/ac): 6.8
- Minimum/Maximum Lot Size (square feet): 3,325/7,325 (gross and net)
- Project Type: Single family residential subdivision
- Number of Stories: 1 & 2
- Building Height (feet): 16 & 29
- Square Feet: 1,455 to 3,066

Site Plan

The previously approved site plan depicts a single family residential subdivision with gated vehicular access from Rainbow Boulevard. The main entrance narrows from 55 feet wide near Rainbow Boulevard to 38 feet wide west of the access gates, which are set back approximately 119 feet from Rainbow Boulevard. Interior private streets are 43 feet wide with a 5 foot wide

sidewalk on 1 side of the streets. Two of the interior private streets terminate in cul-de-sacs, and some of the streets include 25 foot wide stub streets. Pedestrian access to off-site subdivisions is provided from 1 of the stub streets to Rainbow Boulevard, from 1 of the cul-de-sacs to the main entrance drive aisle, and from 1 of the stub streets to Cougar Avenue along the north side of the subdivision. A design review to increase finished grade to a maximum of 6 feet was previously approved for unspecified portions of the site to accommodate existing contours, drainage patterns, and sewer service issues.

Landscaping

Perimeter exterior landscaping includes a 15 foot wide landscape strip along Rainbow Boulevard with detached sidewalks, 6 foot wide landscape strips along Cougar Avenue and Torino Avenue with attached sidewalks, and a 6 foot wide landscape strip along Rosanna Street with no sidewalk (a waiver of conditions application is a companion item on this agenda to waive full off-site improvements on Rosanna Street).

Interior landscaping for the subdivision includes landscaping on both sides of the main entrance with a detached sidewalk on the south side of the drive aisle, 5 foot wide landscape strips along some of the interior private streets, and several common lots. Some of the common lots will be landscaped and at least one common lot will be used for drainage. The increased screen wall will occur in the southwest portion of the site where lots within the proposed subdivision will back-up to an adjacent side property line of an existing single family residence zoned R-E (RNP-I) on parcel 176-15-801-030.

Elevations

The previously approved plans depict houses ranging in height from 16 foot high single story models to 29 foot high 2 story models. The house models include standard design elements including painted stucco, pitched roofs, and architectural enhancements around the windows such as stucco pop-outs, and faux shutters. In addition, the plans comply with conditions of approval on ZC-18-0835 related to elevations, including single story homes adjacent to existing residences, single story homes along Rosanna Street, and no 3 story homes within any portion of the development.

Floor Plans

The previously approved floor plans range in size from 1,455 square feet to 3,066 square feet and include front loaded garages and recessed front doors that face the street.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-19-0982:

Current Planning

- Resolution of Intent to complete in 4 years;
- Single story homes adjacent to existing residences (lots 109, 110, 111, 112, and 113);
- Minimum of 7,000 square foot lots adjacent to existing residences;
- The lots adjacent to Rosanna Street to be a minimum 7,000 square feet;
- The lots adjacent to Rosanna Street to be developed with single story homes (lots 116, 118, and 119);

- No 3 story homes within any portion of the proposed development;
- 8 foot tall wall as measured from existing grade of APN: 176-15-801-030; 8 foot tall wall adjacent to existing commercial; and 8 foot tall wall adjacent to Rosanna Street;
- Redesign street “B” to reduce the overall length;
- Minimum of 4,500 square foot lots on the west boundary;
- Expunge waiver of development standards and design reviews associated with ZC-18-0835;
- Design review as a public hearing on any significant changes to plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- 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.
- Applicant is advised that a land use application for alternative yards may be required for lot 27 pending final orientation of residence; 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;
- 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, except as approved by WC-19-400169;
- Right-of-way dedication to include 30 feet for Rosanna Street together with an off-set cul-de-sac to provide legal access to APNs 176-15-801-030 and 031, 55 feet to the back of curb for Rainbow Boulevard, 30 feet for Cougar Avenue, 30 feet for Torino Avenue, and associated spandrels;
- If required by the Regional Transportation Commission, provide a 5 foot by 25 foot bus shelter pad behind the sidewalk on the west side of Rainbow Boulevard south of, and as close as practical to, "Street A" (Ford Avenue alignment) and include a connecting pad between the sidewalk and the curb in front of the bus stop area;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that the minimum distance to the call box is 100 feet; 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.

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 #0631-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the condition to provide an 8 foot tall wall as measured from existing grade of APN 176-15-801-030; an 8 foot tall wall adjacent to existing commercial; and an 8 foot tall wall adjacent to Rosanna Street was a condition of approval of NZC-19-0982. The applicant states that the current NOFA condition does not meet the intention of the adjacent residents' expressed desire for the additional screen wall height for privacy. If the condition is left as written, any retaining wall in this area would reduce the height of the screen wall, contrary to the original intent of the condition. Therefore, the following is being requested:

8 foot tall screen wall as measured from existing grade of APN 176-15-801-030 or proposed grade of adjacent Lots 109-112, whichever is higher; 8 foot tall screen wall adjacent to existing commercial; and 8 foot tall screen wall adjacent to Rosanna Street. The screen wall height, listed herein, shall be in addition to the allowable retaining wall height per NZC-19-0982 and Title 30 development standards.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-19-0982	Reclassified 15 acres from R-E to R-2 Zoning	Approved by BCC	March 2020
VS-19-0983	Vacation of easements located between Rainbow Boulevard and Montessouri Street, and between Cougar Avenue	Approved by BCC	March 2020
TM-19-500266	Consisting of 169 residential lots and common lots on 24.8 acres	Approved by BCC	March 2020
ZC-18-0835	Reclassified 9.8 acres located in the southeast portion of the subject site to R-2 zoning	Approved by BCC	December 2018
VS-18-0837	Vacated and abandoned easements and right-of-way on 2 parcels located in the southeast portion of the subject site	Approved by BCC	December 2018
ZC-1026-05	Reclassified approximately 3,800 parcels, some of which included the north and western portion of this subject site, to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I), R-E, & C-2	Charter school & undeveloped
South	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I) & C-2	Single family residential & undeveloped
East	Commercial General, Residential Suburban (up to 8 du/ac), & Office Professional	C-2 & R-2	Commercial retail complex & single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

The subject site and surrounding area are located in the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis**Current Planning**

NZC-19-0982 was approved with the condition to increase wall height only for a portion of the site. This condition was intended to help buffer the existing adjacent single family residence. The increased wall height is an appropriate buffer and is consistent with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages, in part, appropriate buffers for single family residential developments.

The applicant will still provide an 8 foot tall buffering wall, but is requesting that the 8 foot tall screen wall be measured from the existing grade of APN 176-15-801-030 or the proposed grade of adjacent Lots 109-112; whichever is higher. The applicant is filing this request to create more privacy for the adjacent property owner and understands that the total height of the wall could be 11 feet (3 feet retaining wall plus an 8 foot tall screen wall on the adjacent property owners side). Staff supports this request with the condition that the portion of the wall above the existing property owners wall to match the existing wall in terms of material and color.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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**

- Wall to match the existing wall in terms of material and color;
- 8 foot tall screen wall as measured from existing grade of APN 176-15-801-030 or proposed grade of adjacent Lots 109-112, whichever is higher; 8 foot tall screen wall adjacent to existing commercial; and 8 foot tall screen wall adjacent to Rosanna Street; the screen wall height, listed herein, shall be in addition to the allowable retaining wall height per NZC-19-0982 and Title 30 development standards.

- 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.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: KB HOME LV SAGE GLEN LLC

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