

SINGLE FAMILY DEVELOPMENT/PUD
(TITLE 30)

LE BARON AVE/ARVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0002-COUNTY OF CLARK (AVIATION):

ZONE CHANGE to reclassify 10.9 acres from R-E (Rural Estates Residential) Zone to RUD (Residential Urban Density) Zone.

USE PERMIT for an attached (townhouse) planned unit development (PUD).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** reduce parking; **3)** reduce width of private streets; **4)** reduce street intersection off-set; and **5)** allow modified driveway design standards.

DESIGN REVIEWS for the following: **1)** an attached single family residential planned unit development; and **2)** finished grade.

Generally located on the southwest corner of Le Baron Avenue and Arville Street within Enterprise (description on file). JJ/al/jd (For possible action)

RELATED INFORMATION:

APN:

177-30-203-001 through 177-30-203-008

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the setback from any street, drive aisle, sidewalk, or curb within a PUD to a minimum of zero feet where a minimum of 10 feet is required per Section 30.24.080 (a 100% reduction).
- b. Reduce the perimeter setback for a PUD to 9 feet where a minimum of 10 feet is required per Section 30.24.060 (a 10% reduction).
2. Reduce parking to 350 parking spaces where a minimum of 399 parking spaces are required per Section 30.24.080 (a 12.3% reduction).
3. Reduce the width of private streets to 30 feet where a minimum width of 37 feet with 36 feet of drivable surface is required per Chapter 30.52.030 (an 18.9% reduction).
4. Reduce the street intersection off-set to 76 feet where a minimum of 125 feet is required per Section 30.52.52 (a 39.2% reduction).
5. Reduce the driveway distance to the property line to 2 feet where a minimum distance of 6 feet is required per Uniform Standard Drawing 222 (a 66.7% reduction).

DESIGN REVIEWS:

1. Attached single family residential planned unit development.
2. Increase finished grade to 72 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:

ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:**Project Description****General Summary**

- Site Address: N/A
- Site Acreage: 10.9
- Number of Lots: 156
- Density (du/ac): 14.3
- Minimum/Maximum Lot Size (square feet): 1,159/1,265
- Project Type: Attached single family residential (townhouse) planned unit development
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 1,308 to 1,426
- Open Space Required/Provided: 39,239 square feet/43,681 square feet
- Parking Required/Provided: 399/350

Site Plans

The plans depict an attached single family residential development situated on a 10.9 acre site consisting of 156 residential lots with a density of 14.3 dwelling units per acre. The development consists of townhouse, residential dwellings under separate ownership that are attached to 1 or more dwellings on opposite sides of the structure. The proposed development features a total of 48 buildings, each containing 3 to 4 units that are adjacent to 30 foot wide private streets. Where the driveways/garages are located along the private streets there are no sidewalks; however, 5 foot wide sidewalks are provided along the portions of the private streets that do not have driveway/garages. Additional sidewalks are provided throughout the site to provide a pedestrian circulation path to the units and open space areas. The proposed development requires 39,239 square feet of open space where 43,681 square feet of open space is provided. The open space consists of recreational areas, landscape areas, and locations for the pedestrian circulation sidewalks located throughout the site. Parking will consist of garage parking for residents and surface parking for residents and visitors. The driveways associated with each unit are a minimum of 5 feet in length. The total parking provided for the development is 350 parking spaces where 399 parking spaces are required, and a waiver of development standards is being requested to reduce the required number of parking. The waiver request is necessary as the residential development does not include an additional 1 parking space for every 5 enclosed parking spaces. Each lot has a minimum total area of 1,308 square feet.

The minimum setbacks for each townhouse unit are as follows:

Lot area - 1,192 to 1,265 square feet

Front - 5 feet

Rear - zero feet

Interior side - zero feet

Side street (corner) - zero feet
Perimeter - 9 feet
Driveway length - 5 feet

The minimum setback distance the townhouse units will maintain from the adjacent private streets, drive aisles, sidewalks, and curbs, is zero feet. The zero foot setback is established to conservatively account for the building setbacks from adjacent sidewalks, but the actual setback distances vary across the site. The typical setback is 5 feet to match the proposed driveway length on all units.

Landscaping

The plan depicts a 15 foot wide landscape area consisting of trees, shrubs, and groundcover with a detached sidewalk adjacent to Arville Street along the eastern boundary of the site. The plan depicts 6 foot wide landscape areas consisting of trees, shrubs, and groundcover with attached sidewalks adjacent to Le Baron Avenue and Cameron Street along the northern and western boundaries of the site. Additional landscape areas are located at the entrance to the development, and within the common areas.

Elevations

The plans depict 3 plex and 4 plex residential units with 3 elevations. The buildings have a maximum height of 26 feet and feature pitched, concrete tile roofs. All units feature consistent and unified architecture throughout the exterior design of the buildings. The exterior building materials generally consist of stucco with horizontal and vertical articulation depicted on all elevations, including pop-outs. Decorative window variations and trimming are also featured on all elevations. Color variations have been incorporated into the overall design of the garage doors, facing the private streets. The residential buildings consist of neutral, earth tone colors.

Floor Plans

The plans depict 2 story homes with floor plans ranging between 1,308 square feet to 1,426 square feet. The floor plans feature 3 bedrooms, kitchen, living room, dining room, closets, laundry room, and 2 bathrooms. The plans show that 36 units have a 1 car garage and the remaining units have 2 car garages.

Applicant's Justification

The applicant indicates that the proposed development is compatible with existing and planned land uses in this area. The proposed development will provide an additional housing option for the residents of Clark County. The proposed setback reductions are necessary to allow for the unique design of the proposed subdivision with the townhouse units, which are becoming more popular with home buyers. The required parking per unit and for visitor spaces per unit is being provided. It is the requirement of 1 additional parking space required for each enclosed parking space that is not being met and the parking being provided per unit and for visitors should be adequate for the development. The proposed 30 foot wide streets are adequate to provide on-site traffic circulation, storm drainage, and spaces for utilities.

Surrounding Land Use

	Planned land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Undeveloped
South & East	Residential Suburban (up to 8 du/ac)	R-2	Undeveloped
West	Business and Design/Research Park	R-E	Undeveloped

Related Applications

Application Number	Request
VS-21-0003	A vacation of easements is a companion item on this agenda.
TM-21-500002	A tentative map for a residential planned unit 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

The proposed RUD zoning for the site is within the range of density and intensity of the Residential High (from 8 to 18 du/ac) designation for this site by the Enterprise Land Use Plan. The request complies with Goal 7 of the Comprehensive Master Plan to provide housing alternative to meet a range of lifestyle choices, ages, and affordability levels; therefore, staff can support the zone change.

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

A planned unit development (PUD) is intended to maximize flexibility and innovation in residential development by utilizing area sensitive site planning and design to achieve a desirable mixture of compatible land use patterns that include efficient pedestrian and vehicular traffic systems, streetscapes, and enhance residential amenities. The design of the project is not a typical single family residential development; however, the standards for planned unit developments allow flexibility in design to provide for innovative and unique development options. The applicant is requesting the flexibility in design and requesting waivers of development standards for further flexibility. The applicant has provided little to no justification to support the request for the use permit or to indicate how, if approved, this development would benefit the community. Due to the waiver requests, and the potential impact these requests may have on the planned development of the area, staff cannot support the use permit request and recommends denial.

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 intent of the setbacks is to ensure a minimum distance and buffer is maintained between the units within the development and between the planned unit development and adjacent parcels to mitigate any potential impact. The waiver requests to the required setbacks are a self-imposed burden due to the design of the site. The building setback and driveway length adjacent to the private streets, consisting of 5 feet, may result in additional vehicles parking along the internal streets; therefore, staff recommends denial.

Waiver of Development Standards #2

The design of the project incorporates the required number of residential and visitor parking spaces into the residential development. However, due to the Code requirement to provide an additional 1 parking space for every 5 enclosed parking spaces, a waiver request is necessitated to reduce the required parking for the development by 49 parking spaces. The plans indicate that 36 of the units will have a 1 car garage, which will require the owners of these units to use a surface parking spaces as the second space for their unit. The surface parking spaces are located throughout the site and staff is concerned the additional resident spaces and visitor parking spaces are not centrally located within the site. In addition, the 30 foot wide private streets will not allow for on street parking which makes it imperative that the required parking be provided. With the lack of the additional spaces normally required for enclosed spaces, the number of units with only 1 garage space, and the distribution of surface spaces throughout the site, staff is concerned that the development will not be adequately parked; therefore, staff recommends denial of the parking reduction.

Design Review #1

Urban Specific Policy 7 of the Comprehensive Master Plan states land uses that are complementary and are of similar scale and intensity should provide appropriate connectivity and not be segregated. The proposed development complies with the aforementioned policy as multiple points of connection are proposed from the interior of the development to the adjacent public and private streets. Staff finds a variety of design elements are utilized on all sides of the residential buildings, including articulating building facades. The design of the proposed elevations incorporates varying rooflines, exterior building materials, such as stucco and decorative window trimming. However, since staff is not supporting the use permit, and waivers of development standards, staff cannot support this request and recommends denial.

Public Works - Development Review

Waiver of Development Standards #3

Staff has no objection to the request to reduce the width of the private streets to 30 feet, provided that Fire Prevention approves the request. However, since Planning is not supporting other parts of the application, staff cannot support this request.

Waiver of Development Standards #4

Staff has no objection to the reduction in the street intersection offset between Lemon Hill Street and Canary Hills Street or Lemon Hill Street and Daffodil Hills Street. With the additional common elements adjacent to Lemon Hill Street, visibility will be improved for those entering the site. However, since Planning is not supporting other parts of the application, staff cannot support this request.

Waiver of Development Standards #5

Staff has no objection to the allowing the driveways to be 2 feet from to the property line. The applicant provided open space to act as a buffer between each of the unit blocks to minimize hazards for drivers traveling through the site and exiting their garages. However, since Planning is not supporting other parts of the application, staff cannot support this 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. However, since Planning is not supporting other parts of the application, staff cannot support this request.

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 of the zone change; denial of the use permit, 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 use permit, 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 17 feet for Le Baron Avenue, 35 feet to the back of curb for Arville Street, and associated spandrel;
- Coordinate with Public Works - Design Division for the Silverado Ranch Detention Basin project;
- Dedicate any right-of-way and easements necessary for the Silverado Ranch Detention Basin project.
- Applicant is advised that the installation of detached sidewalks will require dedication to the 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.

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; 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

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds (turning radii too small); to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; and that streets with roll curbs must be a minimum of 39 feet back of curb to back of curb.

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 #0155-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of the zone change, use permit, waivers of development standards #1, #3, #4, #5, and design review #2; denial of waiver of development standards #2, and design review #1 (add to Current Planning conditions as follows: "Letter of agreement from Republic Services for trash and recycling to be approved prior to final design of the site; Add fenestration to the townhouse elevations facing the street", add to Public Works - Development Review conditions as follows: "No parking along the south side of Le Baron Avenue").

APPROVALS:

PROTESTS:

APPLICANT: JA KENNEDY

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