

PLANNED UNIT DEVELOPMENT
(TITLE 30)

RUSSELL RD/TORREY PINES DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-21-0212-GKT 5, LLC & GRAGSON CACTUS HIGHLANDS, LLC:

ZONE CHANGE to reclassify 5.0 acres from an R-1 (Single Family Residential) Zone to an R-2 (Medium Density Residential) Zone.

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

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** reduce the minimum street width for private street; **3)** allow A-curb and ribbon curb; **4)** reduce back of curb radius; **5)** increase building height; **6)** reduce driveway distance; and **7)** reduce street intersection.

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

Generally located on the northwest corner of Russell Road and Torrey Pines Drive within Spring Valley (description on file). MN/sd/jd (For possible action)

RELATED INFORMATION:

APN:

163-26-408-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the setback from any drive aisle, sidewalk, or curb within a planned unit development to 1 foot where a minimum of 10 feet is required per Section 30.24.080 (a 90% reduction).
2. 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 (an 18.9% reduction).
3. Allow A-curb and ribbon curb and an inverted crown on private streets where an R-curb or roll curb is required per Uniform Standard Drawing 210.S1.
4. Reduce back of curb radius to 10 feet where a minimum radius of 20 feet is required per Uniform Standard Drawing 201 (a 50% reduction).
5. Increase building height to 35 feet, 10 inches where 35 feet is required per Table 30.40-03 for Lot 33 through Lot 79 (a 3% increase).
6. Reduce the driveway distance to the property line to 3 feet where a minimum distance of 6 feet is required per Uniform Standard Drawing 222 (a 50% reduction).
7. Reduce the street intersection off-set to 80 feet where a minimum of 125 feet is required per Section 30.52.52 (a 36% reduction).

DESIGN REVIEWS:

1. Attached single family residential planned unit development.
2. Increase finished grade to 66 inches where a maximum of 18 inches is the standard per Section 30.32.040 (a 266% increase).

LAND USE PLAN:

SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 50 (townhomes lots)/7 (common lots)
- Density (du/ac): 10
- Minimum/Maximum Lot Size (square feet): 1,132/1,258
- Project Type: Planned unit development
- Number of Stories: 2
- Building Height: 35 feet, 10 inches
- Square Feet: Up to 2,050
- Open Space Required/Provided: 12,633/42,260
- Parking Required/Provided: 130/142

Site Plans

The applicant is respectfully requesting a conforming zone change from an R-1 zone to an R-2 zone for the subject parcel in support of the proposed townhome development. The plans depict a planned unit development for 50 townhome lots and 7 common lots on an existing undeveloped parcel located on the northwest corner of Russell Road and Torrey Pines Drive. The project site is currently zoned single family residential and has a land use of Residential Suburban. The site is 5 gross acres with a density of 10 residential lots per acre. Density exceeds the maximum density of 8 units per acre allowed within a typical R-2 residential development within Clark County (Table 30.40-3) and a typical Residential Suburban land use; however, increased density is based on the Planned Unit Development (PUD) flexibility criteria outlined in Table 30.24.060.

The project site will utilize a 41 foot wide private street from Torrey Pines Drive for entry and internal private drives (30 foot wide with A-curb or ribbon curb). The length between the intersection of Torrey Pines Drive and the private street into the subdivision, to the intersection to the internal private street is 80 feet, where 125 feet is required per Title 30. The lots within the development range in size from 1,132 gross square feet to 1,258 gross square feet with an average lot size of 1,202 square feet. Each unit will take access to the building via the rear of lot, so the front door of every unit will face a landscaped common element.

The current project site provides 100 garage spaces and 42 off-street parking spaces for a cumulative 142 parking spaces to meet the necessary parking requirement for the PUD. While the internal sidewalks are not along the street adjacent to the garages, an internal pedestrian network is incorporated into the design.

The setbacks are as follows: (the worst case scenario)

- Garage setback - 4 foot minimum/5 foot maximum to private drive
- Living area setback - 4 foot minimum to private drive
- Rear living area - 5.25 feet to common area
- Rear porch/patio setback - zero feet to common area
- Corner setback - 10 feet to private drive, 5 feet to parking curb
- Sidewalk - 1 foot

There will be several areas where the elevations will need to be raised more than 18 inches vertically, with a maximum fill of 66 inches within the center of the site. The increase in elevation is due to typical grading constraints as evidenced by the current north-south cross-section as the topography drops-off dramatically (8 feet vertically over the course of 15 feet horizontally).

Landscaping

The plan provided depicts a centralized amenity area within Common Element A. All of the landscaping within the development (both in the common elements and the yard areas) will be maintained by the homeowner's association so that the community will remain cohesively and properly maintained. Pedestrian circulation is maintained via proposed 4 foot wide sidewalks throughout the community. Perimeter landscaping is provided per Code, including an attached sidewalk along Russell Road due to a required bus turnout.

Elevations

The proposed 2 story homes will range up to 35 feet 10 inches high. Each unit will have a widened 2 car garage and will have access to the building via the rear of the lot, so the front door of every unit will face a landscaped common element. The elevation materials consist of stucco finished walls and concrete tile roofs. The developer will provide 4 different architectural elevation styles to each building to provide variety within the community. The elevations meet Section 30.24.080 by providing the 3 of the listed design features: off-set garage doors, decks/patio covers, and enhanced window fenestration of all windows facing street/common elements.

Floor Plans

The proposed 2 story homes will range in livable square footage from 1,235 square feet to 2,050 square feet. Each unit will have a widened 2 car garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states development trends within this portion of the Spring Valley Township have changed in recent years, with an emphasis toward affordable single family residential developments. This community will provide for a distinct residential enclave that meets the needs of today's home buyers by providing a community aligned with the core goals of affordable transitional single family residential development. This proposed community will conform to the development trends within the area while providing new housing opportunities for buyers seeking non-rural lots in the southwest portion of the Las Vegas Valley.

The PUD will not adversely affect the surrounding property. The building heights and material of the proposed buildings are compatible with the surrounding communities. This community will propose alternative setbacks and development waivers conducive with a townhome development, but compensation for said requests will be providing future residents with more than 3 times the required amount of interior open space to promote an active, healthy lifestyle. The project site will have like transitioning by maintaining appropriate buffering and similar building heights.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|------------------------------------|-----------------|-------------|
| ZC-0965-04 | Zone change from R-E to R-1 zoning | Approved by BCC | July 2004 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--------------------------------------|------------------------|---------------------------|
| North | Residential Suburban (up to 8 du/ac) | R-1 | Undeveloped |
| South | Public Facilities | R-E | Undeveloped |
| East | Residential Suburban (up to 8 du/ac) | R-2 | Single family residential |
| West | Residential Suburban (up to 8 du/ac) | R-E | Undeveloped |

Related Applications

| Application Number | Request |
|---------------------------|--|
| TM-21-500053 | A tentative map for a Planned Unit Development is a companion item on this agenda. |
| VS-21-0211 | A vacation and abandonment of right-of-way 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 intent of the R-2 zoning district is to provide for the development of compact single family residential development and to prohibit the development of incompatible uses that are detrimental to the residential environment.

The request complies with Urban Land Use Policy 4 of the Comprehensive Master Plan which encourages lots to develop at similar densities as the existing area. Therefore, staff finds the proposed zone change is appropriate for the area and can support this portion of the request.

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, 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 design is unique and innovative in that it allows for individual home ownership rather than a rental option of an apartment unit or the ownership of airspace like the typical condominium development. To mitigate the impact of the proposed structures, the buildings are designed with variations in height, roof pitch, and other architectural enhancements. Staff finds the proposed development provides an appropriate land use transition to the existing residential developments within the immediate area; therefore, recommends approval of the use permit.

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 requested setback reduction to 1 foot from a sidewalk is in certain cases, but the typical setback is 3 feet. Since the sidewalk is adjacent to a common area, staff can support the request. The request also includes a reduction from the garage to the street of 4 feet. Staff typically does not support the reduction in setback for driveways due to an increased need for parking; however, similar requests have been approved for other townhouse developments. The reduced setbacks will allow for the applicant to provide for more open space within the development above the requisite required under Title 30. Due to the attached nature of the residential

development and the internal pathways for the development, staff finds the request should have minimal to no impact on the overall development of the site.

Waiver of Development Standards #5

The proposed increase is for architectural features and mechanical equipment screening and not for habitable space within the apartment units. Setbacks from the property lines and the distribution of the buildings on the site also mitigate the massing effect of the structures. Staff finds that the proposed increase in building height will not have an adverse effect on the abutting properties and can support this request. The increase in height provides for architectural enhancements and a design element for roofline variation. Therefore, staff can support this request.

Design Review #1

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 stone veneer, decorative window trimming, and decorative wrought iron railings. Staff finds the design of the project site is compatible with the adjacent and surrounding land uses. The site will be developed at 10 dwelling units per acre, which staff believes is an appropriate density; therefore, staff recommends approval of this portion of the request.

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 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.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the request to reduce the private street width provided that Fire Prevention approves the request.

Waiver of Development Standards #3

Staff has no objection to allowing "A" curb, ribbon curb, and an inverted crown on the private streets within the proposed subdivision. The applicant must show and provide evidence that this request will not be detrimental to the subdivision.

Waiver of Development Standards #4

Staff has no objection to the request to reduce the back of curb radius on the private streets provided that Fire Prevention approves the request.

Waiver of Development Standards #6

Staff has no objection to the reduction in the distance from the driveway to the property line. The applicant provided landscaping and open space to act as a buffer between each unit blocks to minimize hazards for drivers traveling through the site and exiting their garages.

Waiver of Development Standards #7

Staff has no objections to the reduction in the street intersection offset between Torrey Pines Drive and Drive "A". With the additional common elements adjacent to Street "A" and not installing a gate which will improve traffic flows.

Design Review #2

This design review represents the maximum grade difference within 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.

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.

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

- 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 50 feet for Russell Road, 35 feet to the back of curb for Torrey Pines Drive, and a portion of the Flamingo Diversion Channel;
- If required by the Regional Transportation Commission (RTC), increase the size of the existing bus shelter pad easement behind the sidewalk to be 5 foot by 25 foot in accordance with RTC standards, for the existing bus turnout location along Russell Road.
- 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.

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; and 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 and reference POC Tracking #0364-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC: Spring Valley - approval (Lot 31 through Lot 35 limited to 2 stories only).

APPROVALS:

PROTESTS:

APPLICANT: BEAZER HOMES HOLDINGS, LLC

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