SINGLE FAMILY DEVELOPMENT    MCGILL AVE/CHERRY ST
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-0612-17 – RB LAS VEGAS LAND VENTURES 1:

WAIVER OF DEVELOPMENT STANDARDS to reduce setbacks for a proposed single family residential development.

WAIVER OF CONDITIONS to a zone change (NZC-1608-05) requiring landscaping as depicted on plans.

DESIGN REVIEW for a single family residential subdivision on 5.1 acres in an RUD (Residential Urban Density) Zone.

Generally located on the south side of McGill Avenue, 640 feet west of Cherry Street within Whitney. JG/al/ml (For possible action)

RELATED INFORMATION:

APN:
161-27-610-013 & 014

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the rear setback to 13 feet where a minimum of 15 feet is required per Table 30.40-2 (a 13.3% reduction).

LAND USE PLAN:
WHITNEY – RESIDENTIAL MEDIUM (3 DU/AC TO 14 DU/AC)

BACKGROUND:
Project Description
General Summary
• Site Address: 6424 Hamilton Avenue
• Site Acreage: 5.1
• Number of Lots: 50
• Density (du/ac): 9.8
• Minimum/Maximum Lot Size (square feet): 2,533/3,258
• Project Type: Single family residential development
• Number of Stories: 3
• Building Height: 35 feet
• Square Feet: 2,037 to 2,287
• Open Space Required/Provided: 10,000 square feet/10,160 square feet
Site Plans
The plans depict a detached compact lot single family residential development consisting of 50 lots on 5.1 acres for a density of 9.8 dwelling units per acre. The development will be served by 41 foot wide private streets with a 4 foot wide sidewalk on 1 side of the street. The street network mainly consists of 3 hammerhead streets off the main drive into the subdivision. Access to the subdivision is provided from McGill Avenue to the north and Hamilton Avenue to the south. The plans indicate that both McGill Avenue and Hamilton Avenue will have 5 foot wide attached sidewalks. The request is to reduce the rear yard setbacks on 12 lots that are located at the terminus of the proposed hammerhead streets, and to reduce the rear yard setbacks for these lots to 13 feet where 15 feet is required.

Landscaping
Street landscaping consists of 6 foot wide landscape areas adjacent to McGill Avenue and Hamilton Avenue. Internal to the development are additional 6 foot wide landscape areas located along the side streets of the corner lots and a 7,541 square foot community park located on the northwest corner of the site.

Elevations
Submitted plans are for 3 model residences with 3 elevation styles per plan. All of the models are 3 story homes at a maximum height of 35 feet with flat roofs behind parapet walls. The models have similar building materials consisting of stucco finished walls painted in earth tone colors with window articulation on all sides of the building per Code. Each residence also has a roof top deck.

Floor Plans
The plans depict single family residences that range between 2,037 square feet to 2,287 square feet in area with options for 2 to 4 bedrooms. Each residence will have a 2 car garage.

Waiver of Conditions
NZC-1608-05 was approved with a condition requiring landscape as depicted on plans. Since the approval of NZC-1608-05 the layout of the proposed subdivision has been slightly modified. The community park has been relocated to the northwest corner of the site and the latest landscape plan depicts plant materials that were not included on the landscape plan approved with NZC-1608-05. Therefore, the proposed landscape plan does not comply with the approved plan on file and requires a waiver of conditions to the zone change.

Previous Conditions of Approval
Listed below are the approved conditions for NZC-1608-05:

Current Planning
• Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning;
• Disclosure statement be provided to all purchasers of lots with reduced setbacks;
• Landscaping as depicted on plans;
• A disclosure statement which must be signed by all buyers is required to address patio cover setbacks, which will not exceed Title 30 requirements;

Public Works
• Right-of-way dedication to include an additional 10 feet for McGill Avenue to accommodate 30 feet half street width;
• Full off-sites;
• Drainage and traffic studies and compliance;
• Project may qualify for an exception to the traffic analysis with Civil Engineering Division approval;
• Vacating any unnecessary rights-of-way and/or easements;
• Any applicable vacations to be recordable prior to building permit issuance or applicable map submittal; and all applicable standard conditions for this application type.

Applicant’s Justification
The applicant indicates that the proposed residential development is in compliance with the land use plan and is compatible with existing developments in the area. The reduced setbacks are necessary for 12 lots that are located at the terminus of hammerhead streets. This project is an infill development which will improve this neighborhood.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
</tr>
</thead>
<tbody>
<tr>
<td>UC-0077-14</td>
<td>Single family residential development – expired</td>
<td>Approved by BCC</td>
<td>April 2014</td>
</tr>
<tr>
<td>WS-0959-08</td>
<td>Reduced rear yard setbacks in conjunction with a single family residence subdivision – expired</td>
<td>Approved by PC</td>
<td>December 2008</td>
</tr>
<tr>
<td>UC-0152-08</td>
<td>Eliminated side yard setback in conjunction with a single family residence subdivision – expired</td>
<td>Approved by PC</td>
<td>April 2008</td>
</tr>
<tr>
<td>TM-0035-08</td>
<td>A map to subdivide this site into 51 single family residential lots – expired</td>
<td>Approved by PC</td>
<td>April 2008</td>
</tr>
<tr>
<td>NZC-1608-05</td>
<td>Reclassified this site to RUD zoning and included a waiver for reduced rear setbacks</td>
<td>Approved by BCC</td>
<td>December 2005</td>
</tr>
</tbody>
</table>

Surrounding Land Use

<table>
<thead>
<tr>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
</tr>
</thead>
<tbody>
<tr>
<td>North Residential Suburban (up to 8 du/ac)</td>
<td>M-1, R-T &amp; R-2</td>
<td>Plant nursery, outside storage &amp; single family residences</td>
</tr>
<tr>
<td>South Residential High Rise Center (greater than 32 du/ac)</td>
<td>R-3</td>
<td>Single family residences</td>
</tr>
<tr>
<td>East Residential Suburban (up to 8 du/ac)</td>
<td>R-2</td>
<td>Single family residential subdivision</td>
</tr>
<tr>
<td>West Residential Suburban (up to 8 du/ac)</td>
<td>R-T &amp; R-2</td>
<td>Single family residences &amp; undeveloped properties</td>
</tr>
</tbody>
</table>

STANDARDS FOR APPROVAL:
The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.
Analysis

Current Planning
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 and value 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.

Staff finds that this request is a self-imposed hardship since the setback reduction is only necessary due to the design and size of the proposed home models. The applicant has not provided any information to show unique issues on the lots such as easements or topographic features that would justify the setback reduction. The model homes as designed are too big to fit on the lots within Code requirements. The applicant has not proposed any mitigation for the reduced setback. The request does not comply with Urban Specific Policy 39 of the Comprehensive Master Plan which encourages appropriate buffers and setbacks with single family residential developments. Therefore, staff cannot support this request.

Waiver of Conditions
The landscape areas that are currently proposed by the applicant comply with the requirements of Title 30. The proposed landscaping is also consistent and compatible with landscape areas that have been provided for other developments in this area; therefore, staff can support the waiver of conditions.

Design Review
Staff finds that the proposed model homes are not architecturally compatible with the existing homes in the surrounding area. Existing homes that surround the subdivision are 2 story with pitched tile roofs or are single story manufactured homes. The proposed 3 story, predominantly flat roofed homes with rooftop decks are out of character with the surrounding neighborhood. Furthermore, the proposed homes are larger (2,037 to 2,287 square feet) than the existing homes (1,160 to 1,750 square feet) within the subdivisions abutting this site. The request does not comply with Urban Specific Policy 2 which states that infill development should be consistent with existing adjacent development. Therefore, staff cannot support the proposed request.

Staff Recommendation
Approval of the waiver of conditions; denial of the waiver of development standards and the design review.

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
If approved:
• Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
• Applicant is advised that 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 this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review
• Drainage study and compliance;
• Traffic study and compliance, project may qualify for an exception to the traffic analysis with Public Works Development Review Division approval;
• Full off-site improvements;
• Right-of-way dedication to include 10 additional feet for McGill Avenue.

Building/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; and to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0434-2017 to obtain your POC exhibit.

TAB/CAC: Whitney – approval of the waiver of conditions; and denial of the waiver of development standards and the design review.

APPROVALS:

PROTESTS:

APPLICANT: Cal Atlantic Homes
CONTACT: Elisha Scrogum, Taney Engineering, 6030 S. Jones Boulevard, Suite 100, Las Vegas, NV 89118