SINGLE FAMILY DEVELOPMENT HOLLYWOOD BLVD/RUSSELL RD
(TITLE 30)

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0772-13 – GREYSTONE NEVADA, LLC:

ZONE CHANGE to reclassify 8.7 acres from an R-5 (Apartment Residential) Zone to an R-2 (Medium Density Residential) Zone in the MUD-2 Overlay District.
WAIVER OF DEVELOPMENT STANDARDS for modified street improvements in accordance with Clark County Uniform Standard Drawings.
DESIGN REVIEW for a single family residential development.

Generally located on the west side of Hollywood Boulevard, 510 feet north of Russell Road and the south side of the Duck Creek Channel within Whitney. MBS/rk/ml (For possible action)

RELATED INFORMATION:

APN:
161-27-701-015; 161-27-801-005

WAIVER OF DEVELOPMENT STANDARDS:
Reduce the dimension from edge of driveway to back of curb radius to a minimum of zero feet where 12 feet is required (a 100% reduction).

LAND USE PLAN:
WHITNEY - RESIDENTIAL HIGH-RISE CENTER (GREATER THAN 32 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Acreage: 8.7
- Number of Lots: 61
- Density: 7 du/ac
- Minimum/Maximum Lot Size: 3,302/5,122 square feet
- Project Type: Single family residential
- Number of Stories: 2
- Building Height: 25 feet
- Square Feet: 1,465/2,174

Neighborhood Meeting Summary
The applicant conducted a neighborhood meeting on October 22, 2013, as required by the non-conforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified to attend the meeting. There were 5 neighbors present
at the meeting. That neighbor had general questions about density and product styles. At the conclusion of the meeting, the neighbors were in support of the proposal.

**Site Plan**
The plans depict a gated single family residential development consisting of 61 residential lots and 4 common lots on 8.7 acres for a density of 7 dwelling units per acre. The average lot size is shown at 3,731 square feet. The subdivision will be served by 43 foot wide private streets which includes a 4 foot wide sidewalk on 1 side of the street. In addition to the previously mentioned street sections, the plans also show 2 stub streets at 29 feet wide with a 4 foot sidewalk on 1 side of the street. There is 1 point of access into the development from Hollywood Boulevard to the east.

**Landscaping**
The plans depict a proposed 10 foot wide street landscape element behind an attached sidewalk along Hollywood Boulevard (this street has a dedication of 60 feet and is classified as a local street – currently, this portion of Hollywood Boulevard is not depicted or designated on the Clark County Transportation Element). There are a total of 4 common lots consisting of street landscape buffers and 2 common element lots internal to the site. In addition, this development is providing 2 trees in the side yards of the lots adjacent to undeveloped property to the west which is planned for Commercial Tourist land uses.

**Elevations**
The housing product consists of 2 story homes at a maximum height of 25 feet. All elevations depict stucco finished walls with decorative accents, window articulation, and a concrete tile roof.

**Floor Plans**
The houses range in size from 1,465 square feet to 2,174 square feet. This development will feature 5 models with each model having at least 3 different elevations.

**Applicant’s Justification**
The applicant indicates that the site is suitable for a single family residential development and consistent with development trends in the area. The applicant indicates the current request will result in a less intense use than originally planned and is compatible with the established single family development to the east across Hollywood Boulevard. The applicant further states that this project is an infill parcel that will be developed with similar densities of the surrounding area.

**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>ZC-0866-07</td>
<td>Reclassified this site to R-5 zoning for an apartment complex</td>
<td>Approved by BCC</td>
<td>August 2007</td>
</tr>
<tr>
<td>UC-1938-05</td>
<td>Planned unit development consisting of single family residential lots and triplex units - expired</td>
<td>Approved by BCC</td>
<td>January 2006</td>
</tr>
<tr>
<td>ZC-1031-05</td>
<td>Established R-3 zoning on this site – expired</td>
<td>Approved by BCC</td>
<td>August 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 High Rise Center</td>
<td>R-3</td>
<td>Multi-family residential complex</td>
</tr>
<tr>
<td>South Residential High Rise Center</td>
<td>R-5</td>
<td>Undeveloped land</td>
</tr>
<tr>
<td>East Residential Medium</td>
<td>RUD</td>
<td>Compact lot single family subdivision</td>
</tr>
<tr>
<td>West Commercial Tourist</td>
<td>R-E</td>
<td>Undeveloped land</td>
</tr>
</tbody>
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### Related Applications

<table>
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<tr>
<th>Application Number</th>
<th>Request</th>
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<tr>
<td>TM-0212-13</td>
<td>A map to subdivide this site into 61 single family residential lots is a companion item on this agenda.</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 Zone Change

The non-conforming zone change amendment ordinance requires that the applicant provide compelling justification that approval of the non-conforming zoning is appropriate. Additionally, the BCC may consider the cumulative impacts of non-conforming zone boundary amendments within the planning area.

A Compelling Justification means the satisfaction of the following criteria as listed below for proposed non-conforming zone boundary amendments:

1. *A change in law, policies, trends, or facts after the adoption of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed non-conforming zone boundary amendment appropriate.*

The applicant indicates the surrounding area adjacent to the site is developed with similar or more intense uses. It is the applicant’s belief that the character of the area will be unaffected by this proposal. The density of the project will result in a less intense use than the original planned land use for this site and is compatible with the established residential land use patterns to the east of the project site.

Based on the character of the area, the development proposed by the applicant would be more consistent and compatible with the surrounding area than a multi-family complex of greater than 32 dwelling units per acre. Additionally, the existing development and undeveloped areas indicate there is sufficient property zoned for high density residential uses in the area to accommodate the needs of the community.
2. The density and intensity of the uses allowed by the non-conforming zoning is compatible with the existing and planned land uses in the surrounding area.

The site lies south of the Duck Creek Channel with an apartment complex currently under construction along the south boundary of the site, vacant land to the west, and developed single family homes to the east. The land use context of the immediate areas south of the Duck Creek Channel, along Hollywood Boulevard is predominantly existing single family residential uses. Staff finds the request is more appropriate and compatible with the existing land use patterns in the immediate area.

3. There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the non-conforming zoning.

The applicant indicates that the proposed residential use will result in the property being developed as a less intense use than what would be expected for the current land use category designated on this site; therefore, public infrastructure facilities will not be adversely impacted. Although the majority of schools in the area are at capacity, the service providers who have replied to staff indicated there will be no substantial adverse effects on public facilities and services.

4. The proposed non-conforming zoning conforms to other applicable adopted plans, goals, and policies.

The applicant states that the proposed development conforms to a number of goals and policies in the Whitney Land Use Plan. Policy 1.3 which encourages infill development in existing urbanized areas which are consistent with existing adjacent development. Policy 1.2 which encourages efficient use of public services and facilities while minimizing costs of service extension; and Goal 1 which encourages development that is compatible with adjacent land uses, the natural environment, and that is well integrated with appropriate circulation systems, services, and facilities.

Staff finds this development is in compliance with Policy 1.7 of the land use plan which encourages all non-conforming zone change applications to provide any required or desired buffering from adjacent conforming properties. The landscape plan depicts additional buffering in the side yards of the lots adjacent to the undeveloped parcels to the west which are planned for Commercial Tourist land uses.

Summary

Zone Change

Based on the criteria listed above, staff finds the applicant has satisfied the requirements for a compelling justification to warrant approval of the application. The property is located south of the Duck Creek Channel with an apartment complex currently under construction along the south boundary of the site, undeveloped land to the west, and developed single family homes to the east. The density proposed by this request will result in a land use that will be developed at a lower density and have larger lot sizes than the existing subdivisions to the east. Approval of this request will not only be compatible with most of the developments in the area, but will also result in a land use that is less intense than that allowed by the Residential High-Rise Center land
use categories currently designated for the site. Therefore, the proposed development is compatible with the existing, approved, and planned development in the area.

**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. This item will be forwarded to the Board of County Commissioners’ meeting on February 5, 2014 at 9:00 a.m. for final action, unless otherwise announced.

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 Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**
- A resolution of intent to complete construction in 3 years;
- Developer to establish in the CC&R’s that lots along the west boundary provide and maintain 2 trees (24 inch box) in the side yards adjacent to the commercial property line to the west as shown on plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

**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.

**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; 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.
Clark County Water Reclamation District (CCWRD)

- Applicant is advised that zoning changes affect sewer capacities; this requires the submittal of civil improvement plans for full engineering review and evaluation (including estimated wastewater flow rates at project build-out); and that CCWRD has no objection to the zoning change as submitted.

TAB/CAC: Whitney – approval.

APPROVALS:

PROTESTS:

APPLICANT: Lennar Homes

CONTACT: TCE, Sonia Macias, 3277 E. Warm Springs Road #400, Las Vegas, NV 89120