PLANNED UNIT DEVELOPMENT

UPDATE

PATRICK LN/FORT APACHE RD

(TITLE 30)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-0527-17 – PARDEE HOMES OF NEVADA:

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

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce setbacks; 2) increase the number of dwelling units accessing a street; 3) reduce street intersection off-set; 4) reduce throat depth for a security gate; and 5) allow non-standard street improvements.

**WAIVERS OF CONDITIONS** of a zone change (NZC-0005-14) requiring the following 1) provide revised plans conforming to R-2 zoning requirements; 2) provide a 15 foot wide landscape area with a detached sidewalk per Figure 30.64-18 along Patrick Lane; 3) provide landscaping per Figure 30.64-11 along the west property line; and 4) provide a minimum of 75 feet of queuing distance from the gate call box to the edge of gutter on Patrick Lane.

**DESIGN REVIEWS** for the following: 1) an attached single family residential planned unit development; and 2) increased finished grade on 7.8 acres in an R-2 (Medium Density Residential) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the south side of Patrick Lane, 660 feet east of Fort Apache Road within Spring Valley. SB/rk/ml (For possible action)

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**RELATED INFORMATION:**

**APN:**
163-32-301-004, 025, & 028

**USE PERMIT:**
To establish development standards per plans on file for a proposed attached single family residential planned unit development including but not limited to lot area, building setback, and wall heights.

**WAIVERS OF DEVELOPMENT STANDARDS:**
1. Reduce the setback from any street, drive aisle, sidewalk or curb within a planned unit development to 3 feet where a minimum of 10 feet is required per Section 30.24.080 (a 70% reduction).
2. Permit up to 7 dwelling units on a private street/access easement less than 150 feet in length where a maximum of 6 dwelling units is allowed per Section 30.52.030 (a 17% increase).
3. Reduce street intersection off-set to 30 feet where a minimum of 125 feet is required per Section 30.52.052 (a 76% reduction).
4. Reduce throat depth for a security gate to 63 feet where a minimum of 100 feet is the standard per Uniform Standard Drawing 222.1 (a 37% reduction).
5. Allow modified residential street cross sections where residential street geometrics per Uniform Standard Drawings 207, 210, and 228 is required.

DESIGN REVIEWS:
1. For an attached single family residential planned unit development.
2. Increase finished grade up to 72 inches (6 feet) where 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 300% increase).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 7.8
- Number of Lots: 74
- Density: 9.5 (du/ac)
- Minimum/Maximum Lot Size (square feet): 1,599/4,382
- Project Type: Attached (townhouse) planned unit development
- Number of Stories: 2
- Building Height: 35 feet
- Square Feet: 1,542/1,892 (residences)
- Open Space Required/Provided: 18,731/25,348 square feet
- Parking Required/Provided: 193/222

Site Plans
Subsequent to the filing of this application the applicant submitted a non-conforming zone change for an attached single family residential development in an R-3 zone. Since that original submittal, the applicant has been working with staff on finding solutions to better transition this site to the surrounding area. As a result, one of the more significant changes to plans was to maintain the existing R-2 zoning and apply for a planned unit development at a density of 9.5 dwelling units per acre. In addition, the applicant modified plans to establish a 10 foot building setback around the project perimeter.

The plans depict a proposed attached single family residential development consisting 74 residential lots with a density 9.5 dwelling units per acre. Per Code, many of the development standards for planned unit developments are established by a use permit process based on the plans that are approved for the project by the Board of County Commissioners. The proposed development consists of townhouses, residential dwellings under separate ownership that are attached to 1 or more dwellings on opposite sides of the structure.

The development is made up of tri-plex and 4-plex buildings designed around shared private driveway easements. A total of 6 to 8 residential units will be clustered around the 28 foot wide shared access driveways which lead out to 47 foot wide private “spine” streets. The “courtyards” are located in the front yard of the residences which will be used as a shared driveway. Parking will consist of garage parking for residents and surface parking for visitors. The total visitor
parking provided is 74 spaces where 33 spaces are required. The majority of visitor parking is depicted as parallel spaces along the 47 foot wide private streets. The access gate is set back approximately 63 feet from Patrick Lane. The lots sizes will be between 1,599 and 4,382 square feet. The minimum setbacks for each of the townhouse units are:
- Front - 17 feet (center line of the 28 foot wide private streets/shared access easements)
- Rear - 9.5 feet
- Side yard - 5 feet
- Perimeter - 10 feet
- Streets, sidewalks, drive aisles, access easements, curbs - 3 feet

The plans indicate that due to the existing slope of the site and adjacent washes, additional retaining wall height is necessary for the project.

**Landscaping**
The plans depict a 15 foot wide landscape area with a detached (straight sidewalk) along Patrick Lane. A network of common open spaces is located throughout the development which will include on-site pedestrian paths, recreational areas, and future amenities. The total amount of open space is depicted at 25,348 square feet where 18,731 square feet is required.

**Elevations**
The proposed architecture for the project is attached tri-plex and 4-plex housing types which includes up to 3 different floor plans each with 1 elevation. All buildings will have unified and consistent architecture. The building materials generally consist of stucco siding and pop-out elements that include vertical and horizontal articulation and additional facade relief on select portions of the horizontal planes. The roofs are pitched and consist of concrete tile. The attached units are all shown at 2 stories and 35 feet high.

**Floor Plans**
The plans depict 2 story homes ranging in size from 1,542 square feet to 1,892 square feet. There will be 3 distinct floor plans each offering multiple bedrooms, great rooms, offices, dens and lofts. Two car garages are also provided.

**Signage**
Signage is not a part of this request.

**Applicant’s Justification**
The applicant indicates that the proposed project is in accordance with development trends in the area and compatible with the existing single family residential development to the north and east. The applicant believes this development will create a lower entry price point while providing desirable amenities that are not available in many single family detached communities.

**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>NZC-0005-14 (ET-0007-17)</td>
<td>First extension of time on a portion of a zone boundary amendment to reclassify 7.8 acres to R-2 zoning</td>
<td>Approved by BCC</td>
<td>March 2017</td>
</tr>
<tr>
<td>Application Number</td>
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</tr>
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<tr>
<td>WS-0262-16</td>
<td>Increased wall height, reduced rear setback, allowed modifications to off-site standard, and a waiver of conditions from a zone change for single family residential subdivision</td>
<td>Approved by BCC</td>
<td>June 2016</td>
</tr>
<tr>
<td>VS-0264-16</td>
<td>Vacation of abandon portion of right-of-way being Patrick Lane</td>
<td>Approved by BCC</td>
<td>June 2016</td>
</tr>
<tr>
<td>NZC-0005-14</td>
<td>Reclassified 23.3 acres to R-2 zoning for a single family residential development (the original request was for an RUD single family development)</td>
<td>Approved by BCC</td>
<td>March 2014</td>
</tr>
<tr>
<td>VS-0055-14</td>
<td>Vacation of easements is a companion item on this agenda – recorded</td>
<td>Approved by BCC</td>
<td>March 2014</td>
</tr>
<tr>
<td>WS-0054-14</td>
<td>Modifications to standard drawings for public street sections and reduced street intersection off-sets</td>
<td>Approved by BCC</td>
<td>March 2014</td>
</tr>
<tr>
<td>TM-0017-14</td>
<td>141 single family residential lots on 23.3 acres</td>
<td>Approved by BCC</td>
<td>March 2014</td>
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</tbody>
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**Surrounding Land Use**

<table>
<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>Commercial General</td>
<td>R-2</td>
<td>Mapped single family residential subdivision</td>
</tr>
<tr>
<td>South*</td>
<td>Business and Design/Research Park</td>
<td>R-E &amp; R-2</td>
<td>Undeveloped parcels, mapped single family residential subdivision</td>
</tr>
<tr>
<td>East</td>
<td>Commercial General</td>
<td>R-2</td>
<td>Mapped single family residential development</td>
</tr>
<tr>
<td>West</td>
<td>Commercial General</td>
<td>R-E</td>
<td>Undeveloped</td>
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*Immediately to the south is a drainage and flood control channel

**Related Applications**

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>TM-0107-17</td>
<td>A tentative map consisting of 74 attached single family residential lots on 7.8 acres is a companion item on this agenda.</td>
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</table>

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

**Analysis**

**Current Planning**

**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 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 enhanced residential amenities. The applicant has requested the PUD to obtain the benefit of increased density by providing a desirable site layout with open space, 10 foot building setback from the project perimeter, and street parking for visitors. The project has a density of 9.5 dwelling units per acre and provides an appropriate transition of this site to the surrounding area.

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 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.

Waivers of Development Standards #1a & #1b
There have been changes made to the site plan from when the original plans were submitted to the County, and the applicant has been working toward making this project compatible with the surrounding area by maintaining a 10 foot building setback around the project perimeter. Interior to the site the project will still require modified setbacks from street, drive aisle, sidewalk or curb which staff can support since the waivers are interior to the site and will not impact the surrounding community.

Waiver of Development Standards #2
Title 30 allows 6 dwelling units to access the shared access driveway (stub street). The applicant is requesting to increase the number of dwelling units to 7 accessing a stub street (a 17% increase). The 28 foot stub drive aisles are providing a minimum of 12 foot wide travel lines which staff can support. Additionally, there is ample room for visitors to park on the 47 foot wide private “spine” streets located throughout the subdivision.

Waivers of Conditions #1, #2, & #3
These conditions were set by the Board of County Commissioners on an approved single family detached residential development that has been working toward making this project compatible with the existing environment. These conditions were placed on the previous residential project to ensure adequate overall design and buffering for the development. Staff can support waiver of conditions #1 and #2, since the design of a PUD allows greater flexibility to the R-2 zoning requirements; therefore deviations to the standards are permitted, and the project will provide a 15 foot wide landscape area with a detached (straight sidewalk) per Figure 30.64-17 along Patrick Lane, in lieu of a meandering sidewalk, which is more consistent with the existing sidewalks in the area.

However, staff cannot support waiver of conditions #3 as this condition was imposed to require additional buffering to the west.
Design Review #1
The design of the elevation and floor plan submitted meets Urban Land Use Policy 43 of the Comprehensive Master Plan by providing a variety of design elements on all sides with articulating building facades. The project also conforms to Urban Land Use Policy 10 which encourages site designs to be compatible with adjacent land. Furthermore, staff finds that there are limitations to buildable area due to existing easements to the south and triangular shape of the parcel which make the site challenging to design with a residential development. The site is shown at 9.5 dwelling units per acre, which staff finds will provide an appropriate transition from the high intensity commercial uses along Fort Apache Road and south of the flood control channel to the single family development to the north and east. Therefore, staff can support this application with the exception of waiver of conditions #3.

Public Works – Development Review
Waiver of Development Standards #3
Staff can support this waiver to reduce the off-set distance between intersections because this waiver will be used only for interior streets where traffic flow is minimal.

Waiver of Development Standards #4
Staff can support this waiver; however, the applicant must submit a queuing analysis to demonstrate the proposed reduce distance to the call box is adequate.

Waiver of Development Standards #5
The drainage study must demonstrate that the proposed non-standard curb and gutter convey the drainage and nuisance flows properly through the development; therefore, staff can support this waiver.

Waiver of Conditions #4
Staff can support this waiver; however, the applicant must submit a queuing analysis to demonstrate that the proposed reduced storage distance to the gate is adequate.

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 approvals.

Staff Recommendation
Approval of the use permit, waivers of development standards, waivers of conditions #1, #2, #4, and the design reviews; and denial of waiver of conditions #3.

Approval of the waivers of conditions request constitutes a finding by the Commission/Board that the conditions 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:
- Maximum of 9.5 du/ac;
- Design review as a public hearing for any significant changes to plans;
- 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;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Title 30.32-040-9 are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Queuing analysis and/or gate/callbox location to be approved by Public Works Development Review.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; 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; and to email sewerlocation@cleanwaterteam.com and reference (POC Tracking #0268-2017).

TAB/CAC: Spring Valley – approval.
APPROVALS:
PROTESTS: 3 cards

COUNTY COMMISSION ACTION: September 6, 2017 – HELD – To 09/20/17 – per the applicant.

APPLICANT: Pardee Homes of Nevada
CONTACT: Slater Hanifan Group, Chelsea Jensen, 5740 S. Arville Street, Suite 216, Las Vegas, NV 89118