



Planning Commission Agenda Item

Date: December 11,
2024

Item No: 6

TO: Planning Commission

FROM: Alfredo Melesio, Jr., AICP, EDFP, Director of Land Development &
Community Services
Prepared By: Bryan Saylor, Planner

SUBJECT: ZN-18-2024 ANN & SAN MATEO-BELLA COPIA (Public Hearing).
Applicant: Richmond American Homes. Request: A Property
Reclassification of 7.65 Acres from a PUD, Planned Unit Development
District, to a New PUD, Planned Unit Development District, Consisting of an
Eighty-Four (84) Lot, Single-Family Subdivision. Location: Northwest
Corner of Ann Road and San Mateo Street. (APN 124-30-414-001). Ward
3. (For Possible Action)

RECOMMENDATION: DENIAL

PROJECT DESCRIPTION:

The applicant is requesting consideration to reclassify (rezone) the subject site from a PUD (Planned Unit Development District) to a new PUD (Planned Unit Development District) consisting of an 84-unit, two-family dwelling unit residential subdivision (42 duplexes). The Comprehensive Master Plan Land Use designation for the subject site is Community Commercial. The proposal is for one (1) parcel totaling 7.65 acres and is located at the northwest corner of Ann Road and San Mateo Street

BACKGROUND INFORMATION:

| Previous Action |
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| On June 4, 1997 the City Council approved a Resolution of Intent (ROI #1950) for a reclassification of property from R-1 (Single-Family Low Density Residential District) to PUD (Planned Unit Development District) for a commercial center. |
| On May 17, 2000 the City Council approved a Zoning Reclassification (ZN-29-97) creating Ordinance No. 1398. This reclassified the subject property from R-1 (Single-Family Low Density Residential District) to PUD (Planned Unit Development District) for a commercial center. |
| A neighborhood meeting was held on September 30, 2024 at 5:30 pm at the Aliante Library located at 2400 Deer Springs Way, North Las Vegas, Nevada 89084. There were seven (7) residents in attendance. The residents had questions regarding traffic flow, noise, access to |

site, setback and height of homes, and existing on-site concerns.

RELATED APPLICATIONS:

| Application # | Application Request |
|----------------------|--|
| AMP-06-2024 | An amendment to the Comprehensive Master Plan Land Use Element to change the subject parcel from Community Commercial to Single-Family Medium Residential. |
| T-MAP-13-2024 | A Tentative Map for 84 single-family residential units on 7.65 acres in a residential PUD (Planned Unit Development). |

GENERAL INFORMATION:

| | Land Use | Zoning | Existing Use |
|-------------------------|----------------------|---|--|
| Subject Property | Community Commercial | PUD, Planned Unit Development District | Undeveloped Land |
| North | Single-Family Medium | R-1, Single-Family Residential District | Existing Residential |
| South | Community Commercial | C-2, General Commercial District | Existing Commercial Center |
| East | Single-Family Medium | PUD, Planned Unit Development District | Existing Residential |
| West | Community Commercial | PUD, Planned Unit Development District | Existing Commercial Center (Ann & Decatur Marketplace) |

DEPARTMENT COMMENTS:

| Department | Comments |
|--------------------------------------|--------------------------|
| Public Works: | See attached memorandum. |
| Police: | No Comment. |
| Fire: | No Comment. |
| Clark County Department of Aviation: | No Comment. |
| Clark County School District: | See attached memorandum |

ANALYSIS:

The applicant is requesting consideration to reclassify (rezone) the subject site from a PUD (Planned Unit Development District) to a new PUD (Planned Unit Development

District) consisting of an 84-unit, two-family dwelling unit residential subdivision (42 duplexes). The Comprehensive Master Plan Land Use designation for the subject site is Community Commercial. The proposed subdivision is an existing commercial parcel totaling 7.65 acres located at the northwest corner of Ann Road and San Mateo Street.

Community commercial development is needed in this area, and based on the reasons provided in the staff report for the application AMP-06-2024, the city recommended denial of application AMP-06-2024. If the Planning Commission follows Staff's recommendation and denies AMP-06-2024, this property reclassification must be denied because a non-conforming zone change is not allowed under state and local law.

The applicant has also submitted a request to amend the Comprehensive Master Plan Land Use Element from Community Commercial to Single Family Medium (AMP-06-2024) and a proposed tentative map (T-Map-13-2024). The overall density for the site is 10.98 dwelling units per acre. According to the Comprehensive Master Plan, the density range is 6.01 dwelling units per acre up to 13 dwelling units per acre for Single Family Medium, which is the proposed land use. Primary uses are single-family detached and attached residences such as duplexes and townhomes. This is consistent with applicant's proposal to construct an attached duplex subdivision.



The subject site is on the northwest corner of Ann Road and San Mateo Street. Access to the site is proposed from San Mateo Street, on the eastern side of the property, with emergency access from Montgomery Street, on the western side. Ann Road serves as the southern boundary of the site, although no access is being provided from Ann Road. Along the northern boundary of the site is a

single family residential subdivision with typical, R-1, Single Family Low Density Residential District with a minimum lot sizes of 6,000 square feet. The residential neighborhood to the east is a Planned Unit Development District with single family lots that are approximately 2,600 square feet.

The proposed preliminary development plan contains lots that range from 1,659 square feet to 2,623 square feet. The dimensions of the lots for the units are small with a width of thirty (30) feet and a depth of fifty-five (55) feet for a typical lot.

By way of comparison, R-2, Single Family Medium Density District the minimum lot size is 3,000 square feet per unit and 6,000 square feet per building and R-3, Multi-Family Residential District minimum lot size per unit is 1,700 square feet and 3,400 square feet per building. The proposed unit minimum lot size and building lot size is significantly smaller than the two traditional zoning classifications of R-2, Single Family Medium Density and R-3, Multi-Family Residential Districts.

With this proposed PUD the applicant is proposing the flowing setbacks and lot sizes:

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|----------------------|----------------------------------|
| Front Setback: | 5 feet |
| Rear Setback: | 10 feet |
| Side Setback: | 5 feet |
| Corner Side Setback: | 5 feet |
| Garage Setback: | 5 feet |
| Minimum Lot width: | 30 feet |
| Minimum Lot Area: | 1,659 square feet (30.17' X 55') |

Typical setbacks for two-family dwellings in the R-2, Single Family Medium District are:

| | |
|---------------------------|-------------------|
| Front Setback: | 15 feet |
| Rear Setback: | 15 feet |
| Interior Side Setback: | 5 feet |
| Corner Side Setback: | 10 feet |
| Garage Setback | 20 feet |
| Minimum Lot Width (unit): | 30 feet |
| Minimum Lot Area (unit): | 3,000 square feet |

Typical setbacks for two-family dwellings in the R-3, Multi-Family Residential District are:

| | |
|--------------------------|--------------------|
| Front Setback: | 20 feet |
| Rear Setback: | 15 feet |
| Interior Side Setback: | 5 feet |
| Corner Side Setback: | 10 feet |
| Minimum Lot Area (unit): | 1,700 square feet. |

The proposed setbacks are significantly less than the standard setbacks in either the R-2, Single Family Medium Density District or the R-3, Multi-Family Residential District. Additionally, the proposed setbacks will provide a five foot setback from the face of the garage. As this development is duplexes the streetscape will consist almost entirely of garage doors with little landscaping or architectural variation to create an attractive community.

Perimeter landscaping shall be provided for all new development. The width of the perimeter landscape area is dependent upon the width of the street. The required perimeter landscaping adjacent to San Mateo Street is fifteen (15) feet wide including the five (5) foot off-set sidewalk. The preliminary development plan currently shows the sidewalk as attached to the back of curb along San Mateo Street. This is acceptable where the entry is at the north end of the site however, south of the entry point the sidewalk should be separated as required by code. The perimeter landscaping adjacent to Ann Road is twenty (20) feet wide including a five (5) foot offset sidewalk. A bus turn out is required along Ann Road and has been incorporated into the preliminary development plan. The sidewalk is once again being shown as adjacent to Ann Road and will need to be detached to align with the existing sidewalk connection to the west. The landscaping area adjacent to Montgomery Street is fifteen (15) feet wide including the five (5) foot sidewalk. The sidewalk along Montgomery is constructed and attached to the street however, no change will be required.

Due to the noise from the existing auto service facility, to the southwest of the subject site, more intense landscaping is recommended in Common Element J. Trees should be planted every 10-feet on center in this landscape area to help mitigate the sounds from the Firestone Auto Complete Care.

The applicant is required to provide 50,400 square feet of common open space within the proposed subdivision. The proposed preliminary development plan indicates 53,130 square feet of common open space being provided. After calculating open space that meets the requirements of usable open space, a total of 51,411 square feet has been provided, which is above the minimum requirement. A minimum of 75% of the open space shall be usable for recreation and contained in one area with accessibility to the residents within the development. Common Elements G & F are centralized to the development however these two elements only total 54% of the total open space. The remaining open space areas are all fragment areas. These fragment areas should be considered decorative open space. The preliminary development plan did not specify the open space amenities. The applicant included a list of proposed amenities in the letter of intent which includes: one (1) shaded ramada with a minimum dimension of 12-feet by 12-feet, picnic tables, benches, dog stations, and bbq area. In addition, the open space amenities should also include a tot-lot for two (2) different age groups with EPDM surfacing and other similar activity areas. The final amenity list will be reviewed as part of the Final Development Plan.

For the 42 proposed duplexes the PUD is required to provide a minimum of two (2) models with three (3) elevations. The applicant is providing two (2) models with four (4) elevations. Two of the proposed elevations (B & C) are similar and modifications to may be required to create a more distinctive appearance. In general the models are in compliance with the single-family design standards. The homes have a stucco exterior, some with wainscoting and tile roofs. The roof tiles are not identified as clay or concrete tile, but clay or concrete tile are required. The proposed colors for the homes are various shades of gray, beige, and brown with off-white accents. The final models with their revisions will be reviewed with the Final Development Plan.

Approval Criteria: (Zoning Map Amendments)

The City Council may approve zoning map amendments, and the Planning Commission may recommend approval, if the zoning map amendment meets all of the following criteria:

- (1) The rezoning will promote the public health, safety, and general welfare;
 - The proposed rezoning would promote general welfare of the community by providing more housing, but it would be at the cost of a commercial development that would otherwise benefit and provide general welfare to the community as well.
- (2) The rezoning is consistent with the comprehensive master plan and the purposes of this Code;
 - The proposed property reclassification to a PUD, Planned Unit Development District conflicts with the existing land use designation of Neighborhood Commercial. The proposed Planned Unit Development is consistent with the proposed land use classification of Single-Family Medium (AMP-06-2024).
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
 - The proposed property reclassification deviates from the stated purpose of the current Planned Unit Development which is a commercial use. Furthermore, the proposed PUD is requested to circumvent the lot size and setback requirements of the traditional residential districts. The lots are small and are not consistent with the surrounding residential developments.
- (4) Facilities and services (including roads and transportation, water, gas, electricity, police and fire protection, and sewage and waste disposal, as applicable) will be available to serve the subject property while maintaining adequate levels of service to existing development;
 - The proposed property reclassification to a PUD, Planned Unit

Development District should not have a negative impact the existing facilities and services.

- (5) The rezoning is not likely to result in significant adverse impacts upon the natural environment, including air, water, noise, storm water management, wildlife, and vegetation, or such impacts will be substantially mitigated;
 - The proposed property reclassification to a PUD, Planned Unit Development District should not harm the natural environment, including air, water, noise, storm water management, wildlife, and vegetation.
- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
 - The rezoning from a PUD, Planned Unit Development District to a new PUD, Planned Unit Development District, would reduce the available commercial development possibilities while increasing the number of residents in need of convenient commercial uses for surrounding neighbors.
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.
 - The proposed property reclassification to a PUD, Planned Unit Development District will create lots that substantially smaller than the surrounding neighborhood. The neighborhood to the east (Maravilla) has single-family homes on 2,600 square foot lots. This development has 1,600 duplex lots. The Maravilla development has front and rear loaded homes with alleys that have similar setbacks to the proposed in this PUD. Homes to the north and southeast are traditional R-1, Single-Family homes with 6,000 square foot lots.

With the conversion of commercially developable land over the years to residential development, the possibilities for larger commercial developments are almost exhausted. The subject site has become unique in its size and developability for a larger commercial project. While affordable housing is a concern and additional housing is needed, having the ability to provide those homes and residents with the services that they need and want in an area that is easily accessible and convenient is just as big of a concern. Staff needs to plan for the future of the residents in this area. For that reason, staff cannot support this request and recommends to deny this application.

CONDITIONS:

Planning & Zoning:

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. The number of duplex units shall not exceed 84.
3. Sidewalks on San Mateo Street and Ann Road shall be offset from the curb by 5-feet.
4. Open space amenities shall be clearly defined on the required Final Development Plan.
5. Trees shall be planted 10-feet on center in Common Element J.

Public Works:

6. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.
7. Approval of a drainage study is required prior to submittal of the civil improvement plans.
8. This project is required to adhere to the CNLV Private Streets Policy for Residential Development.
9. Interior local residential streets shall be designed per *Clark County Area Uniform Standard Drawing* No. 206.S3 Option A with sidewalks on both sides of the street.
10. The modified stub street, which features a minimum back of curb radius of 24 feet, is limited to a maximum lot frontage of four and a maximum length of 150 feet, as measured from the back of curb of the intersecting street to the back of curb at the furthest point of the cul-de-sac. Any cul-de-sac exceeding these standards shall provide a standard cul-de-sac design.
11. The street names shall be in accordance with the North Las Vegas Street Naming and Address Assignment Standards, and must be approved by the City of Las Vegas Central Fire Alarm Office.
12. Adjacent to all perimeter and internal streets, a five foot wide public utility easement shall be granted to accommodate dry utility appurtenances and fire hydrants.
13. Any preliminary street section(s) shown on the plans shall be used for planning

purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

14. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-2676 to request a scope.
15. All residential driveway geometrics shall be in compliance with the Uniform Standard Drawings for Public Works' Construction Off-Site Improvements Drawing Number 222.
16. Proposed residential driveway slopes shall not exceed twelve percent (12%).
17. Appropriate subdivision and/or parcel mapping is required to complete this project. All mapping shall be in compliance with NRS Chapter 278 and the City of North Las Vegas Municipal Code and associated Master Plans in effect at the time of subdivision and/or parcel map approval. Conformance may require modifications to the site.
18. All lots shall comply with the *City of North Las Vegas Municipal Code* section 16.20.02.B which states: "The side lines of lots shall be approximately at right angles to the street upon which the lot faces, or approximately radial if the street is curved." Compliance may require modifications to the current layout.
19. A conforming tentative map incorporating the conditions of approval shall be submitted for review and approval to the Department of Public Works and Land Development & Community Services prior to submittal of the final map and civil improvement plans.
20. Emergency access driveways shall be constructed per ***Clark County Area Uniform Standard Drawing*** No. 224.
21. Security gate geometrics, including throat depths, are to be designed and constructed in accordance with *Clark County Area Uniform Standard Drawing* number 222.1. Modifications to the site plan may be needed to comply with the standards.
22. Knuckles should be provided within street elbows or parking is to be restricted on both sides of the elbow.
23. The property owner is required to grant roadway easements where public and private streets intersect.
24. All common elements shall be labeled and are to be maintained by the Home Owners Association.

25. Right-of-way **dedication and construction** of a **RTC bus** turn-out is required Ann Road near San Mateo St. per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
26. A roadway easement is required for the bus stop loading pad on Ann Road.
27. Adjacent to any eighty (**80**) foot right-of-way, a common lot and/or landscape and pedestrian access easement, with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
28. All Nevada Energy easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.
29. All off-site improvements must be completed prior to final inspection of the first building.

ATTACHMENTS:

Public Works Memorandum
Letter of Intent
Preliminary Development Plan
Building Elevations
Building Floor Plans
Neighborhood Meeting Summary
Clark County Assessor's Map
Location and Zoning Map