



# Planning Commission Agenda Item

Date: April 14, 2021

Item No: 8.

**TO:** Planning Commission

**FROM:** Marc Jordan, Director Land Development & Community Services  
Prepared By: Amy Michaels

**SUBJECT: ZN-07-2021 NIGHTINGALE (Public Hearing).** Applicant: DR Horton, Inc.  
Request: An amendment to an existing PUD (Planned Unit Development District), to allow a 3.15 acre commercial development; a 140-lot single-family subdivision; and a 246-unit multi-family development. Location: Northeast corner of Losee Road and Tropical Parkway.

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROJECT DESCRIPTION:** (APN #124-25-201-001 and 124-25-201-003).

The applicant is requesting consideration to amend the existing PUD, Planned Unit Development District on the subject property consisting of 41.8 acres to allow a 3.15 acre commercial development; 140-lot single-family subdivision; and 246-unit multi-family development. The site is located on the northeast corner of Losee Road and Tropical Parkway.

## **BACKGROUND INFORMATION:**

Previous Action
A virtual neighborhood meeting was held on February 25, 2021 at 5:30 p.m. According to the neighborhood meeting summary, Councilman Barron and three neighbors attended the meeting. Neighbors inquired about the height of the buildings and parking which were addressed by the applicant.
City Council approved Ordinance No. 2011 (ZN-68-04) on August 18, 2004 to reclassify approximately 35.55 acres from R-E, Ranch Estates residential District to a PUD, Planned Unit Development District.

**RELATED APPLICATIONS:**

<b>Application #</b>	<b>Application Request</b>
<b>AMP-03-2021</b>	An amendment to the Comprehensive Plan to change the land use plan designation of the subject site from Community Commercial to Single-Family Medium located at the northeast corner of Losee Road and Tropical Parkway.
<b>T-MAP-05-2021</b>	A tentative map in a proposed, PUD (Planned Unit Development District), to allow a 140-lot single-family subdivision and a 246-unit multi-family development.

**GENERAL INFORMATION:**

	<b>Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>Subject Property</b>	Community Commercial	PUD, Planned Unit Development.	Undeveloped
<b>North</b>	Single-Family Low	R-1, Single-Family Low Residential District	Single-Family Residential
<b>South</b>	Single-Family Low and Community Commercial	R-1, Single-Family Low Residential District and C-1, Neighborhood Commercial District.	Single-Family Residential and Commercial Center
<b>East</b>	Single-Family Medium	PUD, Planned Unit Development.	Single-Family Residential
<b>West</b>	Employment	PUD, Planned Unit Development and C-1, Neighborhood Commercial District.	Undeveloped and a Murphy's Express Gas Station

**DEPARTMENT COMMENTS:**

<b>Department</b>	<b>Comments</b>
Public Works:	See attached memorandum.
Police:	No comment.
Fire:	See attached memorandum.
Clark County Department of Aviation:	No comment.
Clark County School District:	See attached memorandum.

**ANALYSIS**

The applicant is requesting consideration to amend an existing PUD, Planned Unit Development District. The applicant's subject site consists of two (2) parcels that are approximately 41.8 gross acres. The Comprehensive Plan Land Use designation for the subject site is Community Commercial. Single-Family Medium is proposed on 38.65 acres of the 41.8 acre site (AMP-03-2021). The subject site is located on the northeast corner of Losee Road and Tropical Parkway. The applicant has also submitted a tentative map (T-MAP-05-2021) to create a 140-lot single-family subdivision and a 246-unit multi-family subdivision with a portion of the sites.

On August 18, 2004, City Council approved Ordinance No. 2011 (ZN-68-04) to reclassify the current site from R-E, Ranch Estates Residential District to a PUD, Planned Unit Development District that allowed for commercial/office uses and multi-family senior housing on the site.

The purpose of the PUD, Planned Unit Development District is to serve as an alternative to conventional zoning and development approaches and processes in a manner consistent with the purpose of NRS and the Comprehensive Land Use Plan. The use of a PUD is to encourage innovations in residential, commercial and industrial development and to encourage a more creative approach in the utilization of land. It is not to be used as way to circumvent our traditional regulations.

Perimeter landscaping is in compliance with code requirements. Approximately fifteen (15) feet of landscaping, which includes a five-foot wide sidewalk is proposed next to Tropical Parkway and Azure Avenue. Approximately twenty (20) feet of landscaping including a five-foot sidewalk is proposed next to Losee Road.

The applicant submitted preliminary development plan proposing 140 single-family residential lots and 246-units of multi-family residential. The single-family and multi-family subdivisions are separate with no cross access between the uses.

Access to the single-family portion of the site is from Tropical Parkway with an emergency access from an easement located at the northeast corner of the site off of

Azure Avenue. The internal streets for the single-family residential are 47-feet wide public streets with five (5) foot sidewalks on each side.

The proposed preliminary development plan shows 140 single-family residential dwellings located on the east side of the site. The single-family portion of the site will contain 3,045 square foot lots. The applicant has submitted three (3) two-story models for the single-family portion of the site. The single-family dwellings range from 1,715 square feet to 1,865 square feet. The three (3) models consist of stucco exteriors with concrete tile roofs. The proposed single-family dwellings appear to be in compliance with code requirements however, the colors were not provided. This can be reviewed at the time of the building permit.

The applicant is required to provide 70,000 square feet (500 square feet per dwelling unit) for the single-family subdivision. The preliminary development plan shows 70,764 square feet of open space per code requirements. The useable open space is located within one central area as required by code. The applicant's letter of intent did not list the amenities being provided in the open space. The applicant will need to provide a tot-lot with EPDM surfacing; barbeque area; a shaded ramada; picnic areas; and dog station areas. The final amenity list will be reviewed with the final development plan.

The applicant's preliminary development plan also contains 246 multi-family dwelling units on the western portion of the proposed site. Access to the multi-family portion of the site is from a gated access off of Losee Road with an emergency access easement at the northwest corner of the site off of Azure Avenue. The project proposes twenty-eight (28) foot private internal drive aisles for the multi-family. The applicant is providing five (5) foot sidewalks adjacent to the off-street parking stalls and seven (7) foot sidewalks throughout the site for pedestrian movement within the development.

The applicant submitted two (2) two-story models for the multi-family portion of the site. The dwellings range from 1,191 square feet to 1,370 square feet. The models consist of stucco exteriors with concrete tile roofs and are earth tone in color. Architecturally, the proposed multi-family dwellings appear to be in compliance with code. The actual colors have been provided and appear to be in compliance with the design standards per code. The applicant's letter of intent states that the multi-family will have two car garages and approximately one hundred eighty-five (185) additional guest parking stalls are provided throughout the project.

The applicant is required to provide 98,400 square feet of open space for the multi-family portion of the site. The preliminary development plan provides 98,400 square feet of open space per code requirements. The useable open space is located within one central area as required by code. The applicant's letter of intent does not list what amenities will be located in the usable open space area, the applicant will need to

provide a tot-lot with EPDM surfacing; barbeque area; a shaded ramada or splash pad; picnic areas; and dog station areas. The final amenity list will be reviewed with the final development plan.

The commercial portion of the site is located at the southwest corner of the site. The land use for this portion of the site is Community Commercial and the PUD, Planned Unit Development is consistent with the land use. According to the applicant's letter of intent the commercial portion will consist of approximately 3.15 acres and will contain a pharmacy use on the site. The preliminary development plan for the commercial component provides two (2) access drives off of Losee Road to the site. The applicant has not provided elevations for the proposed pharmacy, however that will be reviewed with the Final Development Plan for the use. The applicant will be required to comply with the General Commercial Design Standards for the commercial use on the site during the Final Development Plan review.

The surrounding area is a mixture of single-family, multi-family and commercial uses. The proposed amendment to the existing PUD, Planned Unit Development District and proposed land use amendment is compatible with the surrounding neighborhood and staff has no objections to the proposed request.

#### **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;
- (2) The rezoning is consistent with the comprehensive master plan and the purposes of this Code;
- (3) The rezoning is consistent with the stated purpose of the proposed zoning district(s);
- (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;
- (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;

- (6) The rezoning is not likely to result in significant adverse impacts upon other property in the vicinity of the subject tract; and
- (7) Future uses on the subject tract will be compatible in scale with uses on other properties in the vicinity of the subject tract.

## **CONDITIONS:**

### ***Planning and Zoning:***

1. Unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. A Final Development Plan for the 140-lot single-family residential is required.
3. A Final Development Plan for the 246-lot multi-family residential is required.
4. A Final Development Plan for the commercial site is required.
5. The following amenities shall be provided within the open space areas: age appropriate playground equipment with EPDM surfacing; turfed open play areas; shaded picnic areas; and dog stations.

### ***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. 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.

9. The property owner is required to grant roadway easements where public and private streets intersect.
10. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
11. The twenty-four (24) foot wide private drives shall be increased to twenty-eight (28) feet to comply with the City of North Las Vegas Private Streets Policy.
12. The size and number of access points and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.040. Conformance may require modifications to the site.
13. All driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Numbers 222.1 and 222.
14. A raised median shall be installed along Tropical Parkway to a point 425 feet east from the center of the Tropical Parkway and Losee Road intersection.
15. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and/or Highways* and *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Tropical Parkway
  - b. Azure Avenue
  - c. McCarran Street
  - d. Losee Road (sidewalk, street lights)
16. The public street geometrics and thickness of the pavement sections will be determined by the Department of Public Works.
17. 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.

18. 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. A queuing analysis may be required.

**ATTACHMENTS:**

Ordinance No. 2011  
Public Works Memorandum  
Fire Memorandum  
Revised Letter of Intent  
Preliminary Development Plan  
Elevations  
Floor Plans  
Neighborhood Meeting Summary  
Clark County Assessor's Map  
Location and Comprehensive Plan Map