



# Planning Commission Agenda Item

Date: April 13, 2022

Item No: 7.

**TO:** Planning Commission

**FROM:** Marc Jordan, Director Land Development & Community Services  
Prepared By: Sharianne Dotson

**SUBJECT: ZN-06-2022 TROPICAL LOSEE (Public Hearing).** Applicant: Harmony Homes. Request: A property reclassification from C-1 (Neighborhood Commercial District) to a PUD (Planned Unit Development District), consisting of a 196-lot, multi-family (townhome) subdivision. Location: Southwest corner of Losee Road and Tropical Parkway. Ward 2

## **RECOMMENDATION: APPROVAL WITH CONDITIONS**

**PROJECT DESCRIPTION:** (APN #124-26-701-009).

The applicant is requesting consideration to reclassify (rezone) the subject property from C-1, Neighborhood Commercial District to a PUD, Planned Unit Development District to allow a 196-lot multi-family (townhome) subdivision on 15.19 acres with a density of 12.91 dwelling units per acre. The site is located at the southwest corner of Losee Road and Tropical Parkway. The Comprehensive Master Plan Land Use is Neighborhood Commercial.

## **BACKGROUND INFORMATION:**

Previous Action
A neighborhood meeting was held on February 15, 2022 at 5:30 p.m. at the Alexander Library, 1755 West Alexander Road. According to the neighborhood meeting summary, one (1) neighbor attended the meeting and had no questions or concerns.
A Task Force meeting was held on January 13, 2022 (TF-39-2021) to reclassify the property from a C-1, Neighborhood Commercial District to PUD/PID, Planned Unit Development/Planned Infill Development District for 194 multi-family lots.
City Council approved Ordinance No. 2408 (ZN-118-07) on December 19, 2007 to reclassify approximately 15.3 acres from R-E, Ranch Estates District to C-1, Neighborhood Commercial District.
AMP-17-2007 an amendment to the Comprehensive Master Plan Land Use Map from Single Family Medium to Neighborhood Commercial was approved by the City Council on December 19, 2007.

**RELATED APPLICATIONS:**

<b>Application #</b>	<b>Application Request</b>
<b>T-MAP-04-2022</b>	A tentative map in a C-1 (Neighborhood Commercial District), proposed property reclassification to PUD (Planned Unit Development District), to allow a 196-lot, multi-family (townhome) subdivision.
<b>AMP-02-2022</b>	Applicant is requesting an amendment to the Comprehensive Master Plan Land Use Plan from Neighborhood Commercial to Single-Family Medium.

**GENERAL INFORMATION:**

	<b>Land Use</b>	<b>Zoning</b>	<b>Existing Use</b>
<b>Subject Property</b>	Neighborhood Commercial	C-1, Neighborhood Commercial District	Undeveloped
<b>North</b>	Employment	PUD, Planned Unit Development District	Existing Commercial and Undeveloped Land
<b>South</b>	Single Family Medium	PUD, Planned Unit Development District	Single-Family Residential
<b>East</b>	Community Commercial	C-1, Neighborhood Commercial District	Existing Commercial Development
<b>West</b>	Single Family Low	PUD, Planned Unit Development District	Single-Family Residential

**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 reclassify (rezone) the site from C-1, Neighborhood Commercial District to PUD, Planned Unit Development District. The applicant's subject site consists of one (1) parcel that is approximately 15.19 gross acres. The Comprehensive Plan Land Use designation for the subject site is Neighborhood Commercial proposed for Single Family Medium. The site is located at the southwest corner of Losee Road and Tropical Parkway. The applicant has also submitted a tentative map (T-MAP-04-2022) to create a 196-lot multi-family subdivision on the parcel. The applicant is proposing a gated townhome development with three (3) different building types (4-plex, 6-plex and 8-plex) for a total of 196-units. According to the submitted preliminary development plan, the multi-family (townhome) development contains lots with an average lot size of 1,462 square feet.

The proposed typical interior townhome lot will be 21 feet wide and 61 feet long. However, a typical side lot will be an additional 4 feet (side yard) for a total of 25 feet wide and 61 feet long. Each lot will have a common wall and interior lots will have two (2) common walls and a five (5) foot rear driveway to access the two (2)-car garage. Each lot will have a front porch that will be approximately 80 square feet.

The applicant is proposing the following setbacks for the lots:

- Front setback (not including patio) – 6 feet
- Side yard setback building (interior) – 0 feet
- Building corner setback – 4 feet
- Rear setback – garage – 5 feet (driveway)

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. 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 intended to circumvent open space or other design requirements.

Perimeter landscaping along Losee Road appears to be in compliance with code requirements with approximately 20 feet of landscaping, including a five-foot wide sidewalk. However, the perimeter landscaping along Tropical Parkway does not comply with the required 15 feet of landscaping, including a five (5) foot sidewalk. This must be addressed with the Final Development Plan.

The proposed site plan contains one (1) access point to the residential development from a gated access off Losee Road. The proposed site plan is missing a secondary emergency access and will need to provide one. The project proposes twenty-eight (28)

foot private internal streets to access garages at the front of the property. The attached dwelling units will have two car garages and approximately sixty-five (65) guest parking stalls are provided throughout the project. The City of North Las Vegas private street policy requires five (5) foot sidewalks on both sides of the street. This project proposes a larger seven (7) foot sidewalk around the perimeter and between homes in the center of the project to offset the need for five (5) foot sidewalks on both sides of the internal private streets.

The applicant is required to provide 78,400 square feet of open space (400 square feet per dwelling unit) per code requirements. The proposed site plan indicates 102,463 square feet of open space. Per the municipal code requirement, 75% of the useable open space is located within one central area as required by code. The applicant did not provide the amenities for the open space. However, neighborhood park amenities should include a tot-lot with EPDM surfacing; barbeque area; a shaded ramada; benches; picnic areas; open turf areas; and dog station areas. The final amenity list will be reviewed and approved by the Planning Commission at the time of the final development plan. The remaining required interior open space is distributed throughout the project. The landscaping that is provided will be maintained by the Home Owners Association. Pedestrian connections should be added to allow additional pedestrian access to Tropical Parkway and Losee Road. The pedestrian connections should include a pedestrian gate and sidewalk that is a minimum of five (5) feet in width.

The applicant submitted elevations for two-story attached 4-plex, 6-plex and 8-plex residential townhomes. Each dwelling unit contains two-car garages and a minimum 80 square foot front porch. The three (3) models range in size from 1,800 square feet to 2,100 square feet. The buildings appear to have stucco exterior and a tile roof. In addition, the architectural features include coach lights, stone veneer and pop outs around windows. The elevations appear to be in compliance with code requirements. The actual colors have not been provided but can be reviewed with the Final Development Plan.

The surrounding area is a mixture of single-family and commercial uses. To the south and west of the proposed site is developed residential. To the north and east of the proposed site is developed and undeveloped commercial. The proposed PUD, Planned Unit Development District 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 is required.
3. Pedestrian connections shall be added to the easement/open space areas between lots 12 and 13 for access onto Tropical Parkway. Pedestrian connections shall include a pedestrian gate and a five (5) foot wide sidewalk.
4. Pedestrian connections shall be added to the easement/open space areas between lots 156 and 157 and 1 and 196 for access onto Losee Road. Pedestrian connections shall include a pedestrian gate and a five (5) foot wide sidewalk.
5. The applicant shall provide a secondary access for emergency access requirement.

6. 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.
7. Setbacks for the lots are as follows:
  - Front setback (not including patio) – 6 feet
  - Side yard setback building (interior) – 0 feet
  - Building corner setback – 4 feet
  - Rear setback – garage – 5 feet

***Public Works:***

8. 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.
9. Approval of a drainage study is required prior to submittal of the civil improvement plans.
10. 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.
11. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. Losee Road (sidewalk, streetlights)
  - b. Tropical Pkwy
12. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
13. The property owner is required to grant roadway easements where public and private streets intersect.

14. A revocable encroachment permit for landscaping within the public right of way is required
15. The property owner is required to grant a public pedestrian access easement for sidewalk located within a common element when that sidewalk is providing public access adjacent to the right-of-way. (Shown as a Pedestrian Access Easement granted on the map usually for residential subdivisions; condo projects provide as a separate document using a Sidewalk Easement).
16. All common elements shall be labeled and are to be maintained by the Home Owners Association.
17. A revocable encroachment permit for landscaping within the public right of way is required.
18. All off-site improvements must be completed prior to final inspection of the first building.
19. Proposed residential driveway slopes shall not exceed twelve percent (12%).
20. This development shall comply with the CNLV Private Street Policy for residential development; however, in lieu of a five foot wide sidewalk on both sides of the street, the applicant shall provide a seven foot wide sidewalk within a twenty foot wide (minimum) common element throughout the development and between the buildings. Modifications to the preliminary development plan are required to achieve compliance.
21. All dry utility facilities serving the units, except gas, shall be placed within a public utility easement outside of the internal street pavement / curb.
22. A five foot wide public utility easement shall be provided adjacent to all streets.
23. The applicant shall provide an exhibit that confirms adequate guest parking is provided as required by the CNLV Private Streets Policy.
24. 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 project's drainage study.
25. 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.

**ATTACHMENTS:**

Public Works Memorandum  
Fire Protection Memorandum  
Letter of Intent  
Preliminary Development Plan  
Elevations  
Floor Plans  
Neighborhood Meeting Summary  
Clark County School District Memorandum  
Clark County Assessor's Map  
Location and Comprehensive Plan Map