

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0273-BELTWAY 101, LLC & BLUE 10, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** reduce lot size; **3)** increase retaining wall height; **4)** eliminate parking area landscaping; **5)** reduce street landscaping; and **6)** allow modified driveway geometrics.

DESIGN REVIEW for a proposed single-family attached residential development on 4.51 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located north of Blue Diamond Road and west of Montessori Street (alignment) within Enterprise. JJ/jam/cv (For possible action)

RELATED INFORMATION:

APN:

176-22-601-005; 176-22-601-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback to 10 feet where 15 feet is required per Section 30.02.05 (a 35% reduction).
2. Reduce the lot sizes to 1,497 square feet where 1,800 square feet is the minimum required per Section 30.02.09 (a 17% reduction).
3. Increase the retaining wall height along the west property line to 4 feet where 3 feet is the maximum permitted per Section 30.04.03C (a 33% increase).
4. Eliminate parking lot landscaping where required per Section 30.04.01D.
5. Reduce street landscape width to 1 foot where 6 feet is required per Section 30.04.01D (an 84% reduction).
6. Reduce the separation from a proposed driveway to a property line to 2.5 feet where a minimum of 6 feet is required per Uniform Standard Drawing 222 (a 58% reduction).

PROPOSED LAND USE PLAN:

ENTERPRISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.51
- Project Type: Single-family attached residential
- Number of Lots/Units: 52
- Density (du/ac): 11.53
- Minimum/Maximum Lot Size (square feet): 1,497/2,300

- Number of Stories: 2
- Building Height (feet): 26
- Open Space Required/Provided: 6,240/9,694
- Parking Required/Provided: 115/115

Site Plan

The plan depicts a 52 lot single-family attached residential development located on the south side of Agate Avenue and the west side of Montessori Street (alignment). The density of the overall development is shown at 11.53 dwelling units per acre. The lots range in size from a minimum area of 1,497 square feet to a maximum of 2,300 square feet. Ingress and egress will be from Agate Avenue. The development's internal access comprises of private streets that end as stub streets. Off-site improvements along Agate Avenue will feature detached sidewalk with two 5-foot landscape strips and 5 feet of sidewalk. The applicant is requesting multiple waivers of development standards. The first request is to reduce the required rear setbacks from 15 feet to 10 feet on all lots. The second request is to reduce the lot sizes from 1,800 square feet minimum to a minimum of 1,497 square feet. Additionally, along the perimeter, 6 foot high CMU walls are proposed with up to a 4 foot high retaining wall along the west side of the subdivision, necessitating the third waiver request. The fourth request is to reduce the separation between driveways and adjacent property lines to a minimum of 2.5 feet where 6 feet is required.

Landscaping

Street frontage landscaping along Agate Avenue includes detached sidewalks with dual 5-foot landscape strips, consistent with Title 30 streetscape requirements. Along the southern property line, adjacent to Blue Diamond Road, a 5 foot meandering sidewalk is proposed with one landscape strip adjacent to the sidewalk which varies in width. A waiver of development standards is required for the portion of the landscape strip that is less than 6 feet. The applicant proposes small trees planted every 10 feet due to the existing NV Energy easement within that landscape strip. The plan identifies a total of 9,694 square feet of open space that is provided throughout the site.

Elevations

The elevations depict two-story attached residential buildings utilizing stucco finishes, foam trim accents, and stone veneer elements applied in a consistent manner across the various three-plex, four-plex, and five-plex building types. Rooflines incorporate a combination of parapet and low-slope configurations, and window placements vary slightly between plans to provide modest articulation without significantly altering the overall massing. Garage doors, exterior lighting, and address identification features are shown on the street-facing elevations, and the submitted color schemes include earth-toned body colors with contrasting trim and stone accents to maintain a uniform appearance throughout the development.

Floor Plans

The plans depict various attached residential models offering 2 to 4 bedroom layouts with 2 car garages, living areas, kitchens, dining, and second-floor bedrooms/baths. Living areas range from approximately 1,415 to 1,480 square feet per unit.

Applicant's Justification

The applicant requests these waivers to allow the project to function as a typical attached multi-family residential community. The front setback reduction to 10 feet accommodates one- to two-car garages for each unit, ensuring required parking is provided within enclosed garage space and preventing vehicles from encroaching into drive aisles or pedestrian pathways. The development provides 115 total parking spaces, exceeding demand and avoiding overflow impacts on adjacent properties or public rights-of-way.

The rear setback reduction to 10 feet is necessary to provide functional driveways of minimum length while maintaining rear yard space consistent with setback intent. The driveway separation reduction to 2.5 feet allows efficient lot configuration and functional driveway placement without impeding visibility, maneuverability, or safe vehicular access and circulation. These modifications will not be detrimental to public health, safety, or welfare.

The applicant also requests a minor increase in retaining wall height to address site grading and drainage conditions along the western boundary. The additional height provides flexibility to accommodate anticipated grade transitions and ensures proper stormwater management without altering the overall site function.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-19-500097	Tentative map for a 1 lot commercial subdivision - expired	Approved by PC	June 2019
VS-19-0356	Vacation and abandonment government patent easement - expired	Approved by PC	June 2019
ZC-18-0434	Zone change from U-V to C-1 zoning for a mini-warehouse facility	Approved by BCC	July 2018
ZC-18-0434	Zone change from U-V to C-1 zoning for a mini-warehouse facility	Approved by BCC	July 2018
NZC-0499-07	Non-conforming zone change from U-V to C-1 zoning for a mini-warehouse facility, RV and boat storage, and a manager's residence - expired	Approved by BCC	July 2007
ZC-0972-05	Zone change the site from R-E to U-V zoning for a mixed-use development - expired	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Public Use	H-2 & RS3.3	Single-family residential
South	Corridor Mixed-Use	H-2	Communications facility
East	Corridor Mixed-Use	CG	Mixed-use development
West	Neighborhood Commercial	H-2 & RS20	Undeveloped

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
PA-26-700025	A plan amendment from Neighborhood Commercial (NC) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-26-0271	A zone change from CG to RM18 is a companion item on this agenda.
VS-26-0272	A vacation and abandonment of government patent easements is a companion item on this agenda.
TM-26-500070	A tentative map for a 52 lot single-family residential subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff is unable to support the request to reduce the required 15-foot rear setback to 10 feet for all lots. The rear setback requirement is intended to ensure adequate privacy, usable outdoor space, and compatibility with adjacent development. Staff finds the proposed structures are too large for the proposed lots and the requested setback reductions are self-imposed. For these reasons, staff is unable to support this request.

Waiver of Development Standards #2

The applicant requests a waiver to reduce the minimum lot size from 1,800 square feet to 1,497 square feet, a 17% reduction, to accommodate a compact residential layout with shared open space and internal private streets. Although the individual lots are smaller, the overall site design provides functional living areas, private garages, and more than the required open space, ensuring that residents still receive adequate amenities and circulation. The surrounding area includes higher-density residential and mixed-use designations, making the proposed lot configuration compatible with the planned development pattern. Therefore, no adverse impacts to adjacent properties are anticipated. For these reasons, staff can support this request.

Waiver of Development Standards #3

The applicant requests to increase the maximum retaining wall height from 3 feet to 4 feet along the western boundary. The additional height is necessary to accommodate site-specific grading and to manage stormwater runoff entering the property from higher adjacent terrain. The increased

wall height will not create visual or compatibility impacts, as the wall is located along the perimeter and remains consistent with typical residential retaining treatments. The adjacent property to the west is planned commercial and is currently vacant, and the slightly taller wall will help protect the proposed site and provide additional buffering should future commercial development occur on the adjacent parcel. The modification supports proper drainage design, maintains safe site functionality, and does not adversely affect neighboring properties. Staff can support this request.

Waiver of Development Standards #4

Staff cannot support the elimination of the required trees within the parking lot. Staff finds that landscape islands have been provided for every 6 parking spaces, as required by Code, and trees should be provided to help shade the parking lot and reduce the heat island effect.

Waiver of Development Standards #5

Staff finds that the required number of trees has been provided, and the existing easements limit the flexibility of where the landscaping can be placed. For this reason, staff can support this request.

Design Review

The proposed development includes a series of attached three-plex, four-plex, and five-plex residential buildings arranged along private internal streets with distributed parking and designated open space areas. The architectural elevations incorporate stucco finishes, foam trim accents, stone veneer, and modest roofline variation that provide a consistent design theme throughout the community. While the building materials and overall architectural character are generally compatible with the surrounding area, staff is concerned that the proposed models result in reduced rear setbacks, indicating that the product type may be oversized relative to the available lot dimensions. These spatial limitations affect the project's ability to fully meet Title 30 development standards and contribute to a site layout that appears constrained in several locations. Although architectural treatments are appropriate for the intended residential use, the cumulative setback reductions necessary to accommodate the building footprints raise concerns regarding long-term functionality and compatibility. For these reasons, staff cannot support the design review as proposed.

Public Works - Development Review

Waiver of Development Standards #6

Staff has no objection to the request to reduce driveway separation. The reduction is only for lots internal to the development that will see a lower volume of traffic, helping to mitigate potential impacts from the reduction. Therefore, staff can support this request.

Staff Recommendation

Approval of waivers of development standards #2, #3, #5, and #6; denial of waivers of development standards #1, #4 and the design review. This item has been forwarded to the Board of County Commissioners for final action.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PLANNING COMMISSION ACTION: June 16, 2026 – APPROVED – Vote: Aye: Frasier, Stone, Mujica, Gibson, Roitman Nay: Kilarski Absent: Kirk

Comprehensive Planning

- Enter into a standard development agreement prior to any permits in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised within 4 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back of curb for Agate Avenue, with a portion of an elbow for Agate Avenue and Montessori Street;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Be advised, applicant is to coordinate with NDOT and Clark County Public Works for off-site improvements on Blue Diamond Road.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0434-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #4 WAS WITHDRAWN.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS: 12

APPLICANT: PEYMAN MASACHI

CONTACT: PEYMAN MASACHI, HENDERSON, 74 HUNT VALLEY TRAIL,
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