

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

ANN RD/EL CAPITAN WAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0114-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce lot area; **2)** street landscaping; **3)** increase wall height; and **4)** off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving).

DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade on 10.0 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Ann Road and the west side of El Capitan Way within Lone Mountain. RM/md/syp (For possible action)

RELATED INFORMATION:

APN:

125-32-102-029

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the gross lot area to 18,000 square feet where a minimum of 20,000 square feet is required per Table 30.40-1 (a 10% reduction).
2.
 - a. Eliminate street landscaping along Ann Road where landscaping is required per Table 30.64-1 and Figure 30.64-17.
 - b. Eliminate street landscaping, including the detached sidewalk, along Stephen Avenue where landscaping and a detached sidewalk are required per Table 30.64-1 and Figure 30.64-17.
 - c. Allow alternative street landscaping with no detached sidewalk along El Capitan Way where landscaping and a detached sidewalk are required per Table 30.64-1 and Figure 30.64-17.
3.
 - a. Increase combined screen wall/retaining wall height up to 13 feet (7 foot retaining wall/6 foot screen wall) where a maximum wall height of 9 feet (3 foot retaining wall/6 foot screen wall) is permitted per Section 30.64.050 (a 44.4% increase).
 - b. Increase combined screen wall/retaining wall height up to 11 feet (5 foot retaining wall/6 foot screen wall) where a maximum wall height of 9 feet (3 foot retaining wall/6 foot screen wall) is permitted per Section 30.64.050 (a 22.3% increase).
4. Waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along El Capitan Way where required per Chapter 30.52.

DESIGN REVIEWS:

1. Single family residential development.

2. Increase finished grade to 72 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 100% increase).

LAND USE PLAN:

LONE MOUNTAIN - PUBLIC USE

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 10
- Number of Lots: 17
- Density (du/ac): 1.7
- Minimum/Maximum Lot Size (square feet): 18,000/24,711 (gross)/16,808/20,818 (net)
- Project Type: Single family residential development
- Number of Stories: 1
- Building Height (feet): 20 to 20.5
- Square Feet: 4,001 to 4,345

Site Plans

The plans depict a single family residential development consisting of 17 lots on 10 acres with a density of 1.7 dwelling units per acre. The minimum and maximum gross lot sizes are 18,000 square feet and 24,711 square feet, respectively. Furthermore, the minimum and maximum net lot sizes are 16,808 square feet and 20,818 square feet, respectively. A waiver of development standards is required to reduce the gross lot area for Lots 1 through Lot 5 located on the north portion of the site, adjacent to Ann Road, designated as an arterial street. Thirteen of the 17 lots are less than 18,500 square feet. A 10% reduction to the net lot area for Lots 1 through Lot 5 is permitted per Code since the lots are adjacent to an arterial street. Access to the development is granted via a 39 foot wide east/west private street, Alto Summit Street, that connects to El Capitan Way. Secondary access to the development is granted via a 39 foot wide north/south private street, Alto Rockfall Street, that connects to Stephen Avenue. A screen wall/retaining wall measuring 13 feet in height (7 foot retaining wall/6 foot screen wall) is proposed adjacent to Lots 6 through Lot 9 located along the western portion of the site. A second screen wall/retaining wall measuring 11 feet in height (5 foot retaining wall/6 foot screen wall) is proposed adjacent to Lots 1, Lot 13, and Lot 14, located along the eastern portion of the site, adjacent to El Capitan Way. The increased wall height requires a waiver of development standards. A waiver for off-site improvements along El Capitan Way is requested by the applicant. An existing 6 foot wide detached sidewalk, with curb, gutter, and streetlights, is located adjacent to Ann Road. Stephen Avenue will be developed to non-urban street standards with the minimum required paving, 32 feet, per the Department of Environment and Sustainability regulations; however, since the street is a local residential street within a Rural Neighborhood Preservation (RNP) area, a waiver for off-site improvements is not required. The maximum increase to finished grade will predominantly occur between Lots 15 through Lot 17, centrally located within the project site.

Landscaping

The plans depict an existing 12 foot wide landscape area, including a detached sidewalk, adjacent to Ann Road and within the right-of-way constructed by the County. The detached sidewalk measures 6 feet in width, and includes a 3 foot wide landscape area on each side of the sidewalk. However, since the street landscape area is located within the right-of-way, a waiver of development standards is required to eliminate street landscaping. A waiver to eliminate street landscaping, including the required detached sidewalk, is also requested for Stephen Avenue. Alternative street landscaping, with no detached sidewalk, is proposed adjacent to El Capitan Way consisting of a 5 foot wide rockscape area located between the screen/retaining wall and right-of-way. The alternative street landscaping also requires a waiver of development standards.

Elevations

The plans depict 3 different models measuring between 20 to 20.5 feet in height. The single story models feature a pitched, concrete tile roof and a stucco exterior with decorative stone and enhanced window fenestration.

Floor Plans

The plans depict 3 different models measuring between 4,001 square feet to 4,345 square feet. All models feature multiple bedrooms, bathrooms, living and dining rooms, and a kitchen. The models also feature a “multi-generational suite” which is accessed through the interior of the residence. The “multi-generational suite” features a “galley kitchen”, which does not include a range or oven, or utility connections suitable for servicing a range or oven. The models will also feature a garage that is 2 cars wide and 2 cars deep that is tall enough to accommodate a recreational vehicle.

Applicant's Justification

The applicant indicates Lots 2 through Lot 5 and Lot 11 through Lot 13 are less than 20,000 gross square feet. Lots 2 through Lot 5 abut Ann Road but Ann Road cannot be counted in the gross square footage. Lots 11 through Lot 13 abut Stephen Avenue but cannot be counted in the gross square footage. If Ann Road and Stephen Avenue could be included in the gross area calculation, these lots would meet or exceed the 20,000 gross square foot requirement. The applicant states the waiver to reduce lot area is justified because these public streets reduce the gross square footage of the lots. The applicant states the waiver for off-site improvements is justified as the improvement requirements for El Capitan Way would require full paving, curb, gutter, sidewalk and streetlights. The existing pavement from Ann Road to Stephen Avenue appears to meet all rural standard requirements. Ann Road, adjacent to this project, has already been completely improved per a County capital improvement project. The curb, gutter, sidewalk and landscaping panels with rock are already complete along Ann Road. The applicant indicates that El Capitan Way, along the east boundary of the project, will be rural street in lieu of full off-site improvements. The applicant requests to install a 5 foot rock only landscape strip adjacent to the wall along the property line of the residential lots. Along Stephen Avenue most areas have a home that will front Stephen Avenue; therefore, there will be front yard landscaping in lieu of streetscape landscaping. According to the applicant, this project site is in an area where the existing grade is steep. A 7 foot high maximum retaining wall is provided along Lots 6 through Lot 9. A 5 foot wide drainage easement will be provided along the west side of this wall. This 5

foot easement will provide a buffer to the adjacent property. A 7 foot maximum retaining wall along Lots 1, Lot 13 and Lot 14 is also proposed. The applicant believes this short section of the increased wall height is justified based on these conditions. According to the applicant, due to the existing contours and drainage patterns, the site will be elevated to the point to work with civil engineering constraints. The site will not be artificially increased to enhance views. The highest grade difference occurs at Lots 15 through Lot 17 and is 6 feet. The existing site is steep, and this increase is only due to the existing slope.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified the project site from R-E to R-E (RNP-I) zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	Public Use	R-E (RNP-I)	Undeveloped

Related Applications

Application Number	Request
TM-23-500022	A tentative map for a 17 lot single family residential development is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

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 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.

Waiver of Development Standards #1

Staff cannot support this request as it is inconsistent with Master Plan Policy LM-1.4 which encourages protecting the character of existing Ranch Estate Neighborhood by discouraging the development of lots less than 20,000 square feet. Additionally, the Interlocal Agreement between the City of Las Vegas and Clark County also has a minimum net lot size goal of 18,500 square feet. Thirteen of the proposed 17 lots within the proposed subdivision are less than

18,500 square feet. Staff finds the applicant can balance out the lot areas with a redesign of the site; therefore, staff cannot support this request.

Waiver of Development Standards #2

Staff typically does not support requests to eliminate street landscaping requirements. However, the request to eliminate street landscaping along Ann Road and Stephen Avenue will allow the site to develop to rural street standards matching the existing developments within the immediate area. Furthermore, front yard landscaping will be installed for the single family homes fronting along Stephen Avenue. A 5 foot wide area consisting of rocks will be provided along the east side of the development, adjacent to El Capitan Way. Staff finds the rockscape area should have minimal impact on the surrounding residential uses. However, since staff is not supporting the request to reduce lot area and the overall design review, staff recommends denial.

Waiver of Development Standards #3

Due to the topography of the project site, the east and west perimeters of the single family residential development will be constructed with a combined screen wall/retaining wall measuring up to 13 feet in height. Specifically, a screen wall/retaining wall is proposed adjacent to Lots 6 through Lot 9 located along the western portion of the site, adjacent to an undeveloped parcel. A second screen wall/retaining wall is proposed adjacent to Lots 1, Lot 13, and Lot 14, located along the eastern portion of the site, adjacent to El Capitan Way. A proposed 5 foot wide rockscape area is located between the wall and the right-of-way. Staff finds the proposed height increase to the screen wall/retaining wall should have minimal impact on the surrounding land uses and properties. However, since staff is not supporting the request to reduce lot area and the overall design review, staff recommends denial.

Design Review #1

Per Section 30.48.170 of the Development Code, the purpose of the Residential Neighborhood Preservation (RNP-I) Overlay District is to ensure that the character of rural development is preserved. The RNP-I Overlay requires an area designated within any of the various adopted land use plans be maintained as low density residential development not to exceed an overall density of 2 dwelling units per acre. Staff finds the proposed density of this single family residential development is compatible and consistent with the planned and existing uses in the immediate area. This portion of the request is compliant with Goal LM-1 of the Master Plan which promotes maintaining opportunities for ranch estate and suburban lifestyles in Lone Mountain.

The design of the residential elevations, with varied architectural elements, and floor plans comply with Code requirements. However, since the design of the site cannot function independent of the waivers of development standards request, which staff is not supporting, staff cannot support design review #1.

Public Works - Development Review

Waiver of Development Standards #4

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Additionally,

there are existing off-site improvements on Ann Road. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Design Review #2

This design review represents the maximum grade difference within 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 approval. However, since staff cannot support this application in its entirety, staff cannot support this design review.

Staff Recommendation

Denial.

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.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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 4 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 Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Right-of-way dedication to include 50 feet for Ann Road, 40 feet for El Capitan Way, 30 feet for Stephen Avenue, a 54 foot property line radius in the northeast corner of the site, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised 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; and that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC: Lone Mountain - approval of waivers of development standards #2, #4, and design reviews; denial of waivers of development standards #1 and #3 (ensure that Development Disturbance fees with the Desert Conservation Program are conducted for the tortoises).

APPROVALS:

PROTESTS:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVE., SUITE 100, LAS VEGAS, NV 89118