

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0321-GTL PROPERTIES LLLP:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce rear setbacks; **2)** increase retaining wall height; and **3)** reduce throat depth.

DESIGN REVIEW for a single-family residential development on a 6.38 acre portion of 16.73 acres in an RS2 (Residential Single-Family 2) Zone.

Generally located on the northeast corner of Burnham Avenue and Karen Avenue within Winchester. TS/rg/cv (For possible action)

RELATED INFORMATION:

APN:

162-11-503-001 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce rear setbacks to 6 feet where 15 feet is required per Section 30.02.08 (a 67% reduction).
2.
 - a. Allow a 4 foot high retaining wall along Burnham Avenue where 3 feet is the maximum allowed per Section 30.04.03C (a 33% increase).
 - b. Allow a 10 foot high retaining wall along the east property line where 3 feet is the maximum allowed per Section 30.04.03C (a 233% increase).
3. Reduce the throat depth distance to call-box to 75 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 25% reduction).

PROPOSED LAND USE PLAN:

WINCHESTER/PARADISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.38
- Project Type: Single-family residential development
- Number of Lots: 56
- Density (du/ac): 8.78
- Minimum/Maximum Lot Size (square feet): 2,765/4,279
- Number of Stories: 2
- Building Height (feet): Up to 27
- Square Feet: 1,572 to 2,079
- Open Space Required/Provided: 11,200/11,593

Site Plans

The plans depict a proposed single-family residential subdivision. The subdivision will have a single gated entry to the site from Burnham Avenue. All internal private streets have a 5 foot wide sidewalk on one side of the street, and they all measure 44 feet wide except for Street A which measures 39 feet wide. Street A located on the north side of the subdivision terminates as a stub street, where Street C located on the south side of the subdivision terminates as a stub street on the east side and as a cul-de-sac on the west side.

The plans show an alternative lot design with 5 foot access easements granted to adjacent property owners. The buildings are built with 5 foot setbacks from the property line, but with the access easement each lot has access to a 10 foot wide side yard on one side of the lot (5 feet on each side of the residence but one side provides a 5 foot access easement to the adjacent neighbor). The residential development features a rear setback of 5 feet. Also, depending on the model, the rear setbacks are proposed to be reduced to as minimum as 6 feet; therefore, a waiver has been requested per Section 30.02.08.

The proposed subdivision features a 4 foot high retaining wall along Burnham Avenue and a 10 foot high retaining wall along the east boundary line. Waivers of the development standards have been requested since 3 feet is the maximum allowed for retaining wall heights.

Landscaping

Detached sidewalks are being provided along Burnham Avenue and Karen Avenue, with a 5 foot wide landscape strip on both sides of the 5 foot wide sidewalk. The plan depicts large trees and shrubs provided for every 30 linear feet of street frontage.

Elevations

The plans depict 2 story models with a maximum height of 27 feet. The elevations on all 4 sides consist of a concrete tile roof, stucco exterior with variable rooflines, wall off-set, foam trim, stone veneer on some elevation option, porch and a variety of garage door patterns.

Floor Plans

The plans depict single-family residences with 3 to 4 bedrooms, and 2.5 bathrooms. Each home will have a 2 car garage.

Applicant's Justification

The applicant is requesting waivers of development standards for the rear setback reduction, increase in retaining wall height, and reduction of the throat depth within the entrance of the subdivision. The reduced rear setback is for all lots within the subdivision. The applicant does not pre-plot homes and instead provides buyers with the opportunity to select their lot and house plan; therefore, needing the waiver on all lots to provide maximum flexibility for future homeowners. The development will utilize private easements on the lots for the benefit of the adjacent lot which creates a courtyard area between the homes. The increase in retaining wall height along the eastern boundary of the site is due to the significant drop off in topography that currently exists and will not increase the height of the parcel. The increase in the height of the wall will not have a negative impact on the adjacent parcel, which is currently a commercial development. Lastly, the design of the entry allows for 2 travel lanes for the guests, and one for

the residents. Therefore, the residents will not have to wait in line at the call box and will have enough room for cars to queue at the entrance.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0085	Vehicle/body shop and vehicle repair with waivers of distance separation from residential use in conjunction with existing building	Approved by BCC	April 2022
UC-0683-14	Recreational facility (indoor batting cages) - expired	Approved by PC	October 2014
UC-0519-12 (ET-0016-13)	First extension of time to commence and review for a vehicle paint and body shop and vehicle repair in conjunction with vehicle sales - expired	Approved by PC	April 2013
UC-0078-13	Outdoor swap meet on the southern 250 feet of the parcel	Denied by PC	April 2013
UC-0519-12	Vehicle paint and body shop and vehicle repair in conjunction with vehicle sales - expired	Approved by PC	October 2012
WS-0728-04	Additional freestanding signs, increased sign height, and reduced sign separation for replacement of 2 existing freestanding signs in conjunction with an automobile sales and repair facility	Approved by PC	June 2004
VC-234-93	Permit automobile repair and body shop in conjunction with an existing automobile sales facility - expired	Approved by PC	March 1993
VC-175-85	Permit an electric message unit in conjunction with an existing pylon sign	Approved by PC	May 1985
ZC-138-77	Reclassified the subject property to C-2 zoning for a new and used automobile facility	Approved by BCC	September 1977

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG	Vehicle sales
South	Public Use	PF	School
East	Corridor Mixed-Use	CG	Shopping center
West	Urban Neighborhood (greater than 18 du/ac)	RM32	Multi-family residential development

Related Applications

Application Number	Request
PA-25-700023	A plan amendment to redesignate a portion of the site from Corridor Mixed-Use to Compact Neighborhood is a companion item on this agenda.

Related Applications

Application Number	Request
ZC-25-0319	A zone change to reclassify a portion of the site from CG to RS2 is a companion item on this agenda.
VS-25-0320	A vacation and abandonment for portions of rights-of-way is a companion item on this agenda.
TM-25-500081	A tentative map for a 56 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

The proposed lots have 5 foot side yard setbacks; however, a 5 foot access easement will be granted to the adjacent neighbor so that in effect there are 10 foot side yards for private use and a zero foot setback on the other side. It is possible this easement can cause complications for future homeowners. While the larger side yard is a benefit, the result is the private space abuts the wall of the adjacent residence, with a stark 2 story building wall without windows or doors. In addition, only 1 model shows a door accessing the side yard private area. The other models only have a door to the rear yard, which could be as small as 5 feet. A similar development by the applicant was approved at the northeast corner of Quarterhorse Lane and Martin Avenue. Staff has no objection to the waiver request as they are providing larger side yards to mitigate the rear setback reduction.

Waiver of Development Standards #2

The purpose of reviewing an increase in wall height, whether that be a retaining wall or a screen wall, is to ensure that the proposed wall will not negatively impact adjacent developments and streets, nor cause a safety hazard. The proposed retaining walls will pose as a buffer to the commercial development to the east and is minor along Burnham Avenue. Staff has no objection to this request as there are already significant grade changes in the area and the area where the increased wall height will occur is zoned for commercial uses.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

The elevations and aesthetic features are not unsightly or undesirable in appearance. The architectural features provided on all 4 sides of the homes meet the minimum design required by Code. The landscaping is compatible with the surrounding area. Therefore, staff has no objection to this request, however since staff is recommending denial of waiver of development standard #3, staff cannot support the design review

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the reduction in the throat depth in that it could result in stacking of vehicles on Burnham Avenue. This is a self-imposed hardship that could be addressed with a site redesign.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of waivers of development standards #1 and #2; denial of waiver of development standards #3 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 17, 2025 – APPROVED – Vote: Aye: Kilarski, Gibson, Mujica, Roitman, Stone, Kirk Nay: Frasier

Comprehensive Planning

- 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; 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 spandrel at the intersection of Karen Avenue and Burnham Avenue;
- 30 days to coordinate with Public Works - Construction Division and submit separate document if required, for dedication of any necessary right-of-way and easements for the Karen Avenue Storm Drain improvement project;
- 90 days to record said separate document for the Karen Avenue Storm Drain improvement project;
- All other right-of-way and easement dedications to record with the subdivision map;
- 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.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- All proposed single-family residential submittals will comply with code requirements for residential streets;
- 503.2.1.1 Parallel Parking Permitted on Both Sides. Where parallel parking is permitted on both sides of the fire apparatus access road, the minimum clear width of the fire apparatus road shall be 36 feet (10,972 mm), measuring 37 feet (11,277 mm) from back-of-curb to back-of-curb for L curbs, 38 feet (11,852 mm) from back-of-curb to back-of-curb for R curbs, and 39 feet (11,887 mm) from back-of-curb to back-of-curbs for roll curbs;
- The prohibition of parallel parking on both sides for the purpose of narrowing the roadway width is not permitted for fire apparatus roads serving 1 and 2 family dwellings.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

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 #0005-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

WAIVER OF DEVELOPMENT STANDARDS #1 WAS DENIED.

TAB/CAC: Winchester - approval.

APPROVALS: 3 cards, 1 letter

PROTESTS: 3 cards

APPLICANT: KB HOME

CONTACT: KB HOME, 5795 W. BADURA AVENUE, SUITE 180, LAS VEGAS, NV 89118