

11/16/22 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

ANN RD/EGAN CREST DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0546-USA:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** reduce setbacks; and **3)** allow non-standard improvements within the right-of-way.

DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade on a 5.2 acre portion of a 10.0 acre site in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the north side of Ann Road and the east side of Egan Crest Drive within Lone Mountain. RM/md/syp (For possible action)

RELATED INFORMATION:

APN:

126-25-801-025 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate street landscaping, including detached sidewalks, along Egan Crest Drive and La Mancha Avenue where landscaping and detached sidewalks are required per Section 30.64.030 and Figure 30.64-17.
- b. Eliminate street landscaping along Ann Road where landscaping is required per Table 30.64-2 and Figure 30.64-17.
2. a. Reduce the side street (corner) setback for an accessory structure (retaining wall) along Ann Road and La Mancha Avenue to 6 feet where 10 feet is required per Table 30.40-1 (a 40% reduction).
- b. Reduce the setback from the right-of-way (Ann Road and La Mancha Avenue) for an accessory structure (retaining wall) to 6 feet where 10 feet is required per Section 30.56.040 (a 40% reduction).
3. Allow non-standard improvements (landscaping) within the right-of-way (Ann Road) where not permitted per Chapter 30.52.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 200 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 455.5% increase).

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5.2 (portion)
- Number of Lots: 5
- Density (du/ac): 1.1
- Minimum/Maximum Lot Size (square feet): 36,093/36,213 (gross and net)
- Project Type: Single family residential development

Site Plans

The plans depict a single family residential development consisting of 5 lots on 5.2 acres with a density of 1.1 dwelling units per acre. The minimum and maximum lot sizes are 36,093 and 36,213, respectively. The 5 residential lots take direct access to Egan Crest Drive, a local street. A waiver of development standards is requested to eliminate the detached sidewalk requirement along Egan Crest Drive and La Mancha Avenue. Egan Crest Drive and La Mancha Avenue will be developed to non-urban street standards with the minimum required paving (32 feet) for Air Quality regulations; however, since the streets are local residential streets within a Rural Neighborhood Preservation (RNP) area, no waiver of off-site improvements is required.

Due to the existing topography of the subject property, the north (Egan Crest Drive), south (Ann Road), and west boundaries of the site will be developed with a terraced retaining wall system. The retaining wall system consists of the following: 1) Ann Road and La Mancha Avenue - 3 foot high retaining wall with 6 feet of separation between a 6 foot high retaining wall for a total height of 9 feet; 2) Lot 3 (east property line) - consists of a 3 tiered retaining wall system featuring a 3 foot high retaining wall along the east property line. A second retaining wall measuring 7 feet in height is set back 5 feet from the first retaining wall. A third retaining wall measuring 7 feet in height is set back 6 feet from the second retaining wall. The combined height of the 3 off-set retaining walls measures 17 feet. 3) Lot 5 (east property line) - consists of a 3 tiered retaining wall system featuring a 3 foot high retaining wall along the east property line. A second retaining wall measuring 6 feet in height is set back 5 feet from the first retaining wall. A third retaining wall measuring 7 feet in height is set back 6 feet from the second retaining wall. The combined height of the 3 off-set retaining walls measures 16 feet. The retaining wall system adjacent to Ann Road and La Mancha Avenue necessitates a waiver of development standards to reduce the side street (corner) setback for an accessory structure and from the respective rights-of-way.

The maximum increase in finished grade will predominantly occur along the eastern portion of the site, adjacent to an undeveloped 5 acre lot.

Floor plans and elevations are not submitted with this application request as the lots will be developed with custom single-family residences.

Landscaping

The plans depict an existing 12 foot wide landscape area, including a detached sidewalk, adjacent to Ann Road, 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. Shrubs and groundcover, in lieu of the required trees, are provided on the north side of the detached sidewalk. However, since the street landscape area is located within the right-of-way, waivers of development standards are required to eliminate street landscaping and to permit the non-standard improvements (shrubs and groundcover) within the right-of-way. No landscaping is provided along Egan Crest Drive and La Mancha Avenue.

Applicant's Justification

The applicant states the site has been designed to match the RNP nature of the adjacent communities with no curb/gutter, sidewalk, and no streetlights along Egan Crest Drive and La Mancha Avenue. Egan Crest Drive is currently existing with a 32 foot wide asphalt rural section street; Ann Road is existing with full offsite improvements per a Capital Improvement Project; and La Mancha Avenue is undeveloped adjacent to the parcel. The applicant indicates the finished grade of the proposed development will exceed 3 feet above the existing grade as the site slopes drastically from the west (Egan Crest Drive) to the east. The existing site contours show the site has an elevation change of 14.5 feet from Egan Crest Drive to the east property line over approximately 400 feet. The site has an existing slope of 5.7 percent and, by using the minimum design criteria for grading of 1 percent, a set lot high point results in a pad elevation that requires an increase to finished grade affecting all 5 lots. The lots have been designed such that there is a maximum of 16 feet of fill towards the east side of the property right behind the top retaining wall. The exact height varies per lot. The lots go from no fill at the west property line to excess fill proceeding east within the site. The existing right of way consists of a 3 foot planter behind existing back of curb, 6 foot detached sidewalk, and a 3.3 foot landscape area to finish off the 50 foot right of way section. The applicant is requesting a waiver to eliminate the detached sidewalk requirement along Egan Crest Drive and La Mancha Avenue to preserve the rural feel of the area. The goal of the developer is to have larger lots per the Rural Neighborhood Preservation goal with keeping up with the larger lots of almost 1 acre. The parcel has a very steep slope in grade and will require the lot to be raised to meet drainage and grading minimum requirements. With building large lots we conserve water due to the fact we are limiting the houses that could be built on the 5 acre parcel. The goal is to construct desert landscaping. Landscaping on Ann Road is already complete per Clark County rebuilding of the road. The terraced wall design along Ann Road and La Mancha Avenue (as well as the rear property line) will consist of desert landscaping within the 6 foot setback area between the walls. Each retaining wall will be set back 6 feet from the back of the lower retaining wall. The buildable pad area will not encroach into the reduced setback area. This request will solely assist in constructing the terraced retaining walls.

Surrounding Land Use

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

Related Applications

Application Number	Request
TM-22-500186	A tentative map for a 5 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

Current 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 typically does not support requests to eliminate street landscaping requirements. However, the request to eliminate street landscaping along Egan Crest Drive, La Mancha Avenue, and Ann Road will allow the site to develop to rural street standards matching the existing developments within the immediate area. Therefore, staff can support this request.

Waiver of Development Standards #2

Due to the topography of the project site, the perimeter of the single family residential development will be constructed with a 2 tiered to 3 tiered off-set retaining wall system to avoid the “tunnel effect” that would occur without having landscaping to soften the look of continuous expanse of block walls. The tiered retaining wall system is an acceptable alternative to a monolithic block wall along the perimeter of the project site; therefore, staff recommends approval. Furthermore, staff recommends a condition consisting of the following: 1) terraced retaining walls along La Mancha Avenue, Ann Road, and the east property (rear) of the development to be decorative; and 2) Desert landscaping consisting of shrubs and groundcover to be planted within the 6 foot setback area between retaining walls along Ann Road and La Mancha Avenue.

Design Review #1

Staff recognizes the request to increase finished grade is substantial; however, the increase in the amount of fill is necessary due to the topographic conditions of the site. The applicant has provided a tiered retaining wall system with landscaping between the walls to mitigate the impact of the increased finished grade. Furthermore, the density and lot area for the proposed single family residential development are consistent and compatible with the surrounding area. Therefore, staff recommends approval of the design review.

Public Works - Development Review

Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any landscaping placed in the right-of-way. Staff can support waiver of development standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

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.

Staff Recommendation

Approval.

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:

Current Planning

- Terraced retaining walls along La Mancha Avenue, Ann Road, and the east property line (rear) of the development to be decorative;
- Desert landscaping consisting of shrubs and groundcover to be planted within the 6 foot setback area between retaining walls along Ann Road and La Mancha Avenue;
- 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;
- Right-of-way dedication to include 50 feet for Ann Road, 30 feet for Egan Crest Drive, 30 feet for La Mancha Avenue, and associated spandrels;
- Execute a Restrictive Covenant Agreement (deed restrictions);

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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.

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 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.

APPROVALS:

PROTESTS:

APPLICANT: CHRIS DARLING

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