

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0147-A&A III LLC & A&A REVOCABLE LIVING TRUST:**

**HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase retaining wall height; **2)** eliminate street landscaping; and **3)** allow attached sidewalk.

**DESIGN REVIEW** for a single-family residential development on 2.54 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the west side of Hinson Street and the south side of Richmar Avenue within Enterprise. JJ/rr/kh (For possible action)

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RELATED INFORMATION:

**APN:**

177-19-801-007; 177-19-801-008

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase retaining wall height to 4 feet along a portion of the west property line where 3 feet is the maximum height allowed per Section 30.04.03C (a 33.3% increase).
2. Eliminate street landscaping along Richmar Avenue where required per Section 30.04.01D.
3. Allow an attached sidewalk along Richmar Avenue where a detached sidewalk is required per Section 30.04.08C.

**LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.54
- Project Type: Single-family detached residential
- Number of Lots: 20
- Density (du/ac): 7.87
- Minimum/Maximum Lot Size (square feet): 3,518/3,567
- Number of Stories: 2
- Building Height (feet): 29
- Square Feet: 1,600 (minimum)/2,601 (maximum)

### Site Plans

The plans depict a proposed single-family detached residential development totaling 20 single-family lots and 4 common lots on 2.54 acres located on the south side of Richmar Avenue and the west side of Hinson Street. The density of the overall development is shown at 7.87 dwelling units per acre. The lots range in size from a minimum of 3,518 square feet to a maximum of 3,567 square feet. Lots 1 through 7 will have direct access to Richmar Avenue, a public street. Richmar Avenue is proposed to be improved with a 5 foot wide attached sidewalk and full off-site improvements. Hinson Street is proposed to be improved with a 5 foot wide detached sidewalk and full off-site improvements. Lots 8 through 20 are proposed to be accessed from a 39 foot wide private street which is accessible from Hinson Street to the east. The private street, which features a 5 foot wide sidewalk on the north side, is proposed to terminate in a hammerhead turnaround to the west. Common Element A is proposed to feature an additional parking area for 2 residents. Common Element B will include a 5 foot wide drainage easement. Common Elements C and D are intended for the street landscaping along Hinson Street. A 4 foot high retaining wall is proposed along the west boundary of the site adjacent to Common Element B.

### Landscaping

The plans show street landscaping along Hinson Street consisting of two 5 foot wide landscape strips on each side of a 5 foot wide detached sidewalk. No street landscaping is shown along Richmar Avenue, which is the subject of a waiver. All trees that would otherwise be required along Richmar Avenue are proposed to be placed within the front yards of the lots located this street. The street landscaping along Hinson Street is proposed to consist of 9 large Shoestring Acacia trees. All shrubs are proposed to be 5 gallon sized and include 6 different species.

### Elevations

The plans indicate 2 story detached single-family homes. There are 7 models proposed with contemporary designs and finishes. The residences range in height from 26 feet to 29 feet. The exterior of the residences consists of stucco finishes, pitched concrete tile roofs, window popouts, decorative shutters, and stone veneer on some models.

### Floor Plans

The plans depict 2 story homes which include seven models with multiple floor plans ranging in size from 1,600 square feet to 2,601 square feet. The plans feature 3 and 4 bedrooms, bathrooms, a kitchen, a great room, and other features. All models feature an attached 2 car garage.

### Applicant's Justification

The applicant requests an increase in the retaining wall height along a portion of the wall along the west side of the property to maintain adequate drainage within a 5 foot wide easement in Common Element B. The applicant also requests a waiver to allow an attached sidewalk along Richmar Avenue and to eliminate the required landscaping along Richmar Avenue since the street trees are relocated to front yards of the lots along Richmar Avenue so that they are not impaired by the sight visibility zone.

**Prior Land Use Requests (APN 177-19-801-007 only)**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-23-0429	Zone change from RE to R2, waivers, and design review for a single-family residential development	Approved by BCC	September 2023
VS-23-0430	Vacated and abandoned patent easements	Approved by BCC	September 2023
TM-23-500089	Tentative map for 9 single-family residential lots	Approved by BCC	September 2023

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Business Employment	RS20	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Undeveloped
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Undeveloped

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-25-0145	A vacation and abandonment of easements is a companion item on this agenda.
ZC-25-0146	A zone change to reclassify APN 177-19-801-008 from RS20 to RS3.3 is a companion item on this agenda.
TM-25-500033	A tentative map for 20 single-family residential lots 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 applicant is requesting to allow a retaining wall to be 4 feet in height where 3 feet is allowed along the west boundary of the site adjacent to Common Element B. Tiering the retaining wall would require the relocation of the drainage easement, an option allowed by Code would be to place a fence that is 85% open on top of the retaining wall where it exceeds 3 feet in height. Due to this option, staff does not support this request.

### Waiver of Development Standards #2

The applicant is requesting to eliminate the required landscape strip along Richmar Avenue where Lots 1 through 7 are proposed to front along this street. The applicant proposes to relocate the trees that would otherwise be planted along Richmar Avenue to the front yards of the lots located along this street. Staff is concerned with this proposal as the tree locations on the lots will not provide the equivalent shade over the sidewalk that would otherwise occur if they were planted in the landscape strip along Richmar Avenue. In addition, individual property owners may not maintain the tree or even remove the tree, furthering the impact of the heat island. For these reasons, staff does not support this request.

### 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 architectural design of the residences is consistent with existing single-family homes in the area and as well as subdivisions under development in the vicinity. The design is consistent with the requirements for having at least 2 architectural features on each façade of the structure, garage variations, and proper driveway length. Therefore, staff could support this request, however since staff is not supporting the waivers, staff cannot support the design review.

### **Public Works - Development Review**

#### Waiver of Development Standards #3

Staff cannot support the request to install attached sidewalks in place of detached sidewalks along Richmar Avenue. The site has no existing off-sites improvements; therefore, there is no reason detached sidewalks cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

### **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**

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:

- Expunge the waivers of development standards and design reviews from ZC-23-0429;
- Enter into a standard development agreement prior to any permits or subdivision mapping 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, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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 30 feet for Richmar Avenue, 25 feet to the back of curb for Hinson Street, and associated spandrel;
- 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](mailto: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**

- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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 #0544-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC: Enterprise - approval of waivers of development standards #1 and #2 and the design review (per plans presented at Town Board on March 12, 2025, showing detached sidewalks on Hinson Street and Richmar Avenue).**

**APPROVALS:**

**PROTESTS:**

**COUNTY COMMISSION ACTION:** April 2, 2025 – HELD – To 04/16/25 – per the applicant.

**APPLICANT:** CIMARRON SPRING DEUX, LLC

**CONTACT:** TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89147