

06/18/24 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0170-USA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** residential adjacency standards; and **2)** increase wall height.

**DESIGN REVIEWS** for the following: **1)** hillside development; **2)** final grading plan; and **3)** single-family residential development on a 7.50 acre portion of 32.50 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located 330 feet east of Buffalo Drive and 320 feet south of Gomer Road (alignment) within Enterprise. JJ/md/ng (For possible action)

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RELATED INFORMATION:

**APN:**

176-27-101-031 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. i. Increase fill height to 10 feet where a maximum of 3 feet is allowed to be placed a minimum of 5 feet from a shared residential property line per Section 30.04-06F (a 233.4% increase).
  - ii. Increase fill height to 10 feet where a maximum of 6 feet of fill is allowed to be placed greater than 5 feet and up to 20 feet from a shared residential property line per Section 30.04.06F (a 66.7% increase).
  - iii. Increase fill height to 10 feet where a maximum of 9 feet of fill is allowed to be placed greater than 20 feet and up to 50 feet from a shared property line per Section 30.04.06F (a 11.2% increase).
  - b. Allow lot sizes less than 10,000 square feet (as small as 5,200 square feet) where residential development within, abutting, or adjacent to a Neighborhood Protection (RNP) Overlay shall transition along RNP boundaries by providing lot sizes 10,000 square feet or greater per Section 30.04.06G.
  - c. Allow rear setbacks of 20 feet, side interior setbacks of 5 feet and side street setbacks of 10 feet where development shall comply with the side or rear zoning district setbacks of the adjacent NPO-RNP lot along any shared lot lines per Section 30.04.06G.
2. Increase the height of a retaining wall to 10 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 233.4% increase).

**PROPOSED LAND USE PLAN:**

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

## **BACKGROUND:**

### **Project Description**

- General Summary
- Site Address: N/A
- Site Acreage: 7.50 portion of 32.50
- Project Type: Single-family residential development
- Number of Lots: 25
- Density (du/ac): 3.33
- Minimum/Maximum Lot Size (square feet): 7,436/22,145
- Number of Stories: 1
- Building Height (feet): 17 to 22
- Square Feet: 2,398 to 3,028

### Site Plans

The plans depict a single-family residential development consisting of 25 lots on 7.50 acres with a density of 3.33 dwelling units per gross acre. The minimum and maximum lot sizes are 7,436 and 22,145 square feet, respectively. Access to the site is granted through a 49 foot wide east/west public street (Pioneer Court) connecting to Buffalo Drive previously approved in conjunction with a single-family residential development (ZC-22-0168). Pioneer Court connects to a north/south public and private street (North Street), measuring 49 feet and 39 feet in width, respectively. The north portion of North Street is public while the south portion of the street is private. The south portion of North Street provides immediate access to the proposed single-family residential development. North Street connects to a 39 foot wide east/west private street (South Street) terminating in a cul-de-sac bulb at the western (Lots 1 and 25) and eastern (Lots 11 and 12) of the subdivision. A 5 foot wide sidewalk is located on the east and west sides of North Street, adjacent to Lots 5 and 6, respectively. A sidewalk measuring 4 feet in width is located along the north side of South Street, adjacent to Lots 1 through 11. Immediately to the east of Lots 11 and 12 is a 30 foot wide public utility easement (Common Element H) that is adjacent to a proposed drainage channel (Common Element I). The eastern portion of the site is located in an area with slopes greater than 12 percent; however, the developable area of the site is located in areas that average 1.5 percent slope located outside of the 12 percent slope area. The area of the parcel located within the 12 percent slope area is defined as "Hillside", located east of the existing wash, and does not affect the proposed residential lots. A small portion of the proposed flood control channel improvements, located on the east side of the wash, are located within the Hillside area that ranges between 12 to 25 percent slope area. Only a small portion of the proposed flood control channel improvements within the existing wash fall into the hillside area along the east side of the wash, necessitating design reviews for Hillside development and a final grading plan. A waiver of development standards is required to increase the height of a retaining wall up to 10 feet along the east property lines of Lots 11 and 12. A second waiver of development standards is necessary to allow a maximum of 10 feet of fill within 50 feet from the shared property line (south) of Lot 12, adjacent to APN 176-27-101-018, an undeveloped parcel. A third waiver of development standards is requested to allow lot areas measuring between 7,436 feet to 8,823 feet (Lots 13 through 25) adjacent to APN 176-27-101-018 and the residual portion of APN 176-27-101-031 (not a part of this application, BLM parcel). The final waiver of development standards that is requested is to allow rear setbacks of 20 feet, side interior setbacks

of 5 feet, and side street setbacks of 10 feet where development shall comply with the side and rear zoning district setbacks of the adjacent NPO-RNP lot along any shared lot lines.

#### Landscaping

No landscaping is proposed or required as the development is serviced by an interior network of private streets.

#### Elevations

The plans depict single story model homes with a maximum height ranging between 17 feet to 22 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, decorative foam for trim, and accents. Some of the models also include decorative stone veneer and optional patio covers on the rear elevation. The side elevations of the model homes include a single architectural feature being a varying roofline.

#### Floor Plans

The plans depict single story model homes with multiple floor plans ranging from 2,398 square feet to 3,028 square feet. The models feature multiple bedrooms, bathrooms, kitchen, den, and a living room. All models feature 2 to 3 car garages, with some models featuring an attached recreational vehicle garage.

#### Applicant's Justification

The applicant states the increase in retaining wall height is necessary to provide flood control protection adjacent to the existing wash along the east portion of the proposed development. The actual maximum wall heights will be determined by the flood control facility design for the conveyance storm water through the wash area. The increase in finish grade is necessary to provide flood control protection adjacent to the existing wash along the east portion of the proposed development that controls the design of the entire project. The actual maximum increase in grade will be determined by the flood control facility design for the conveyance of storm water through the wash area. The applicant indicates the NPO-RNP areas adjacent to the site are located to the east and south as undeveloped private (2.5 acre site to the south) and public land (25 acres). The proposed zoning of the subject property is RS-5.2 (which allows up to 5 units per acre under the proposed Low-Intensity Suburban Neighborhood land use and a minimum 5,200 square foot lots). The project proposes a density of 3.33 units per acre and lot sizes that ranging from 7,400+/- square feet to 8,800+/- square feet along the NPO-RNP shared southern property line. Additionally, single story homes with a typical building height of 20 feet are proposed to minimize impact to adjacent properties. The nearest developed property within the NPO-RNP area is located approximately 450 feet to the southeast. The eastern portion of the site is located in an area with slopes greater than 12 percent; however, the developable area of the site is located in areas that average 1.5 percent slope and is outside of the 12 percent slope area. The area of the parcel located within the 12 percent slope defined as "Hillside" and is located east of the existing wash and does not affect the proposed subdivision lots. Only a small area of the proposed flood control channel improvements in the existing wash fall into the Hillside area along the east side of the wash.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Undeveloped - previously approved for a PUD via ZC-22-0168
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS10	Unimproved trail adjacent to single-family residential development

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-24-700006	A plan amendment to redesignate the land use from Ranch Estates Neighborhood to Low-Intensity Suburban Neighborhood is a companion item on this agenda.
ZC-24-0169	A zone change request to reclassify the project site to RS5.2 zoning for a single-family residential development at 3.3 dwelling units per acre is a companion item on this agenda.
TM-24-500044	A tentative map for a 25 lot single-family residential subdivision on 7.5 acres 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.

Waivers of Development Standards #1

The intent of limiting the amount of fill in proximity to residential development is to minimize and mitigate the impact increased finished grade may have on adjacent property owners. The increase to the fill height predominantly occurs at the southeast corner of the site, within the boundaries of Lot 12. The applicant indicates the increase in fill is necessary to provide flood control protection adjacent to the existing wash along the east portion of the proposed

development that controls the design of the entire project. The intent of requiring minimum lot sizes of 10,000 square feet adjacent an existing Neighborhood Protection (RNP) Overlay is to encourage new residential developments adjacent to these areas to transition at appropriate densities, be of similar height, and maintain similar setbacks. Policy 6.2.3 of the Master Plan encourages the establishment of regulations that support appropriate transitions in the character of development and neighborhood compatibility. Staff finds the requested waivers of development standards conflict with this policy and are a self-imposed hardship. The site can be redesigned to allow for 10,000 square foot lots, in conjunction with greater building setbacks, to ensure an appropriate transition between the proposed development and the Neighborhood Protection (RNP) Overlay to the south. Therefore, staff recommends denial.

#### Waivers of Development Standards #2

The request to increase the retaining wall height is necessary to accommodate the increase to finished grade. However, since staff is not supporting the increased fill, staff cannot support this request.

#### Design Reviews

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.

#### Design Reviews #1 & #2

The purpose of the Hillside development restrictions is to provide for the reasonable, safe and aesthetic use of the steep and inconsistent topography of natural hillsides within unincorporated Clark County. Staff finds the final grading plan complies with the development restrictions as the drawings indicate the following: 1) the development of the proposed flood control channel will not exceed the maximum amount of site disturbance permitted per Code; 2) no residential lots are proposed within the Hillside area; and 3) a small portion of the Hillside area, with slopes ranging between 12 to 25 percent located immediately to the northeast of the proposed flood control channel, will remain undisturbed. However, since staff is not supporting design review #3, staff cannot support this request.

#### Design Review #3

The layout and internal street network of the proposed subdivision is functional. However, the elevations do not meet the requirement of detached single-family homes having at least 2 architectural features on each façade of the structure. More specifically, some of the rear elevations and all of the side elevations include only 1 architectural feature being a varying roofline. Staff cannot support this request.

#### **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on July 17, 2024 at 9:00 a.m., unless otherwise announced.

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:

- 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.
- 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.

### **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 #0206-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** THOMASON CONSULTING ENGINEERS

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA STREET, SUITE 200, LAS VEGAS, NV 89119