

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0664-ELIASON FAMILY TRUST ETAL & ELIASON BOYD TRACY & KARI DIANE TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; **2)** allow a gated community; **3)** increase fill height; **4)** increase retaining wall height; and **5)** waive full off-site improvements.

DESIGN REVIEW for a single-family residential subdivision on 4.72 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located east of Mustang Street and south of Deer Springs Way within Lone Mountain.
MK/bb/kh (For possible action)

RELATED INFORMATION:

APN:

125-23-702-003; 125-23-702-004

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback to 20 feet where 40 feet is required per Section 30.02.04 (a 50% reduction).
2. Allow a gated community where gated communities are not permissible within the NPO-RNP overlay per Section 30.02.26F.
3. Increase fill height to 6 feet 6 inches where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 117% increase).
4. Increase the height of retaining walls to a maximum of 6 feet 6 inches where a maximum of 3 feet is allowed per Section 30.04.03 (a 117% increase).
5. Waive full off-site improvements (streetlights, curb, gutter, sidewalk, and paving) along Mustang Street where off-site improvements are required per Section 30.04.08C.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6720 Mustang Street and 6705 Maverick Street
- Site Acreage: 4.72
- Project Type: Single-family residential development
- Number of Stories: 1
- Building Height (feet): 20

- Number of Lots/Units: 8
- Density (du/ac): 1.69
- Minimum/Maximum Lot Size (square feet): 23,494/29,259 (gross)/ 19,474/ 22,256 (net)
- Minimum/Maximum Square Feet: 2,422/3,516

Site Plan

The site plan depicts an 8 lot residential subdivision with private street access from the east side of Mustang Street, 430 feet south of Deer Springs Way. The plan shows a gated community with each lot facing and accessing the internal private street. The front setback is shown 20 feet from the edge of the private street. The private street ends in a cul-de-sac on the east side of the property. The perimeter walls include retaining walls that exceed 3 feet in height in some areas along the west, south, east, and north perimeter property lines, which range between 3.5 feet and 6.5 feet in height. The maximum retaining wall height is 6.5 feet near the southwest corner of the subdivision. All lots have more than 3 feet of fill within 5 feet of the property line. Lot 1 has the maximum of fill height within 5 feet of the perimeter property lines up to 6.5 feet.

Landscaping

The landscape plan depicts a 6 foot wide landscape strip along Mustang Street consisting of large trees and 3 shrubs for every 30 linear feet of street frontage, with no sidewalks proposed on the private street or Mustang Street.

Elevations

The elevations depict 1 story single-family residential homes with 2 car garages and RV garages with specific models. The elevations will be enhanced with stucco pop outs, bay windows, stucco siding, stone veneer, and a variety of exterior treatments and architectural features. Building height ranges from 17 feet 9 inches to a maximum of 20 feet.

Floor Plans

The floor plans depict 4 home plans that range in size from 2,422 to 3,516 square feet. One of the models has an optional RV garage. Each home will have a full length driveway and electric vehicle charging capabilities. The homes have 3 to 4 bedrooms with patio, kitchen, den/sitting room, dining room, laundry room, and living area.

Applicant's Justification

The applicant states the development consists of eight residential lots, each designed to comply with the density requirements of the NPO-RNP Overlay, which permits a maximum of two dwelling units per acre. The proposed development as designed, aligns with the general objectives of the Neighborhood Protection Overlay (RNP). This district aims to maintain and enhance the unique architectural, cultural, historical, and environmental characteristics of existing neighborhoods, areas, sites, and structures. The subdivision layout is designed to integrate seamlessly with the surrounding area. The proposed off-site waiver is based on the project's adherence to the existing neighborhood standards and the preservation of its character. The inclusion of fill and retaining wall waivers is necessary to ensure proper site grading and to manage stormwater runoff, thereby protecting the integrity of the development and the surrounding area. Allowing a gated entry for this project will not create any adverse impacts on surrounding properties or the broader community. The proposed gate is intended to enhance

neighborhood safety, manage traffic circulation internally, and provide a sense of security for future residents. Additionally, several existing communities in the surrounding area are already gated, establishing a clear precedent and demonstrating compatibility with the character of the neighborhood. For these reasons, granting this waiver would not be detrimental to the public or surrounding development. Maintaining the standard front setback of 40 feet from the property lines would significantly restrict the available buildable space on the lots.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0485	Vacation and abandonment of various portions of Torrey Pines Drive, Mustang Street, Maverick Street, and Deer Springs Way	Approved by BCC	October 2022
VS-0872-05	Vacation and abandonment of a portion of Maverick Street – Recorded	Approved by PC	July 2005
VS-1320-02	Vacated and abandoned a portion of rights-of-way being Deer Springs Way, Rome Boulevard, Rio Vista Street, Balsam Street, Rainbow Boulevard, and Mustang Street - Recorded	Approved by BCC	June 2003
ZC-0296-01	Established the RNP-I overlay in Lone Mountain	Approved by BCC	March 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential
East	City of Las Vegas	R-E	Cemetery

Related Applications

Application Number	Request
TM-25-500163	A tentative map for an 8 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

ORD-25-900774 will amend the front setback requirement for the RS20 zone to allow for a reduced setback of 20 feet when along a private street. For this reason, staff can support this request.

Waiver of Development Standards #2

Staff finds that the proposed gated access is not needed in this location for only 8 homes. This development is not at risk of pass through traffic or potential inadvertent access by the general public. The proposed access gates do not comply with the Neighborhood Protection (RNP) Overlay rules in Title 30, Chapter 30.02.26F, which states gated communities are not permissible. Gated access diminishes the rural character of a neighborhood that has been designated for rural protection and is not compatible with Comprehensive Plan Policy LM-2.5 which supports neighborhood development without barriers. Therefore, staff cannot support the waiver request.

Waivers of Development Standards #3 & #4

The applicant is requesting waivers to exceed the standard limits for retaining wall height and grade fill in several areas of the development. However, staff does not support the requests because the applicant has not provided sufficient justification for the proposed deviations. Title 30 generally favors tiered retaining walls over single, tall walls to reduce visual impact, improve stability, and maintain compatibility with surrounding properties. The proposed wall heights and grade changes could negatively affect adjacent lots by creating abrupt elevation differences, drainage concerns, and a less cohesive streetscape. Additionally, per NPO-RNP standards in Title 30, waivers for increased fence and wall height, including retaining walls, are strongly discouraged.

The retaining walls and increased fill requests are not compatible with Policy LM-2.5 which discourages construction of barrier walls between developments. Staff recommends denial of the waiver requests.

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 other 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 8 lot subdivision includes 4 model homes and 2 elevations per model that meet minimum standards for architectural design and design materials. The homes are limited in height to a maximum of 20 feet and include design elements that are compatible with the surrounding area. Private street access allows each home to front on the private street. However, since staff is not supporting the waiver requests staff is unable to support the design review.

Public Works - Development Review

Waiver of Development Standards #5

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. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Staff Recommendation

Approval of waiver of development standards #1; denial of waivers of development standards #2 through #5, and design review.

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 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- Applicant is advised 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 CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; 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; and an interlocal agreement with City of Las Vegas will also be required.

TAB/CAC: Lone Mountain - approval of waivers of development standards #1, #3 through #5, and the design review; denial of waiver of development standards #2.

APPROVALS:

PROTESTS:

APPLICANT: A DEVCO

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