

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0113-SHANGOOLY, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height in conjunction with a single-family development; **2)** increase fill heights; and **3)** alternative driveway geometrics.

DESIGN REVIEW for a single-family residential development on 2.5 acres in a RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Gomer Road, 1,000 feet west of Fort Apache Road within Enterprise. JJ/bb/ng (For possible action)

RELATED INFORMATION:

APN:

176-30-501-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase retaining wall height to 6 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 100% increase).
2. Increase fill height to 6 feet 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 100% increase).
3.
 - a. Reduce driveway separation for Lot 1 to 1 foot where 12 feet is required to a curb return per Uniform Standard Drawing 222 (a 92% decrease).
 - b. Reduce driveway separation for Lot 15 to 7 feet where 12 feet is required to a curb return per Uniform Standard Drawing 222 (a 42% decrease).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: Single-family residential
- Number of Lots/Units: 15
- Density (du/ac): 6
- Minimum/Maximum Lot Size (square feet): 3,462/4,551
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 1,614 to 2,643

- Open Space Required/Provided: 0/7,173 sf

Site Plan

The site plan depicts a 15 lot single-family residential subdivision with private streets located 1,000 feet west of Fort Apache Road on the south side of Gomer Road. The subdivision is accessed from the south side of Gomer Road directly across from Durham Ranch Street on the north side of Gomer Road. The access street dead-ends into an east/west street that has a cul-de-sac on the west side of the property, and a stub street on the east side of the property. Four common element lots include landscaping along Gomer Road and power line easements at the northeast corner of the property and on the south side of the property. The 6 foot high retaining wall and up to 6 feet of fill is located along the east property line. The property to the east is currently undeveloped and planned for similar density single-family residential development.

Landscaping

The landscape plan depicts a 5 foot wide detached sidewalk located along Gomer Road, and a 4 foot wide sidewalk leading to the interior of the development on the west side of the entry street. Three on-street parking spaces are provided for visitor use at the east end of the interior stub street. Twelve medium or large trees are depicted on the landscape plan along Gomer Road in common element areas A, B, and C. Five medium size trees are in common element area A and the open space area under the existing power easement at the northeast corner of the property. Common element area D is a 24 foot wide easement area for an existing power line; no improvements are proposed to this area and access is provided for the utility company through easements to the east and west. A meandering trail is depicted in common element area A running northwest to southeast.

Elevations

The plans depict 4 two story models from 1,614 square feet to 2,643 square feet. Each model has 3 elevations with a variety of façade treatments on each side of the elevations. Each home has a combination of slate or rolled tile roofing, a variety of earth tone colors, decorative shutters, faux wood siding, pop outs, wall returns, stucco siding, covered entry, stone veneer, section garage doors, foam trim, and end beam accents.

Floor Plans

Floor plans depict 3, three bedroom models, and 1, four bedroom model. The floor plans range in area from 1,614 square feet to 2,643 square feet. Each home will have a 2 car garage with EV charging capability.

Applicant's Justification

The applicant is proposing to develop 2.5 gross acres with 15 lots and 4 common element lots 1,000 feet west of Fort Apache Road and on the south side of Gomer Road. The property has 2 large power line easements running through the site at the south side and northeast corner of the property. The access road will provide a pedestrian connection to Gomer Road with a 4 foot sidewalk on the west side of the entry street and includes 3 on street parking spaces, full size driveways and 2 car garages to meet parking requirements.

Prior Land Use Requests

Application Number	Request	Action	Date
WT-0779-95	Overhead power lines	Approved by PC	June 1995

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

Surrounding Land Use

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

Related Applications

Application Number	Request
ZC-24-0112	A zone change to reclassify 2.5 acres from RS20 to RS3.3 is a companion item on this agenda.
TM-24-500029	A tentative map for a 15 lot single-family residential development is a companion item on this agenda.
VS-24-0114	A request to vacate patent easements 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 & #2

Approximately 6 feet of increased finished grade along the east property line will not meet the intent of Title 30 for limiting the impacts to adjacent planned residential property. The proposed lot sizes are typically 35 feet wide with a home footprint of 25 feet in width. The resulting 5 foot side setback does not provide enough room for tiered retaining walls on Lot 14 as required by code. Additionally, while tiered walls could be provided in the backyard area for Lot 15, and for common lots A and B, the applicant did not choose to do this option. These are self-imposed

hardships that can be rectified with a redesign of the subdivision. The proposed wall and increased finished grades on the residential property line do not meet the intent of Master Plan Policy EN-1.1 Neighborhood Integrity related to contiguous and uniform neighborhood development. For these reasons, staff cannot support waivers #1 and #2.

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 proposed lot design does not accommodate compliance with Title 30 requirements for increased grades, and wall height standards. The development does provide site access and circulation, including visitor parking and adequate driveway spaces without negative impacts to adjacent roadways or neighborhood traffic. The proposed residential homes will meet setbacks, architectural, and aesthetic standards and are not unsightly or undesirable in appearance. However, staff finds that the site should be redesigned to meet the code requirements for increased fill and retaining walls. Therefore, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #3a

Staff has no objection to the reduced distance from the back of curb radius (BCR) to the driveway for Lot 15 as there should be minimal traffic from the east, reducing conflicts at the driveway. However, since staff cannot support the application in its entirety, staff cannot support this request.

Waiver of Development Standards #3b

Staff cannot support the request to reduce the distance from the back of curb radius (BCR) to the driveway for Lot 1 as there are potential conflicts with traffic navigating the turn onto Barranca Court.

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.

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance;

- 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;
- Full off-site improvements;
- Right-of-way dedication to include 35 feet to the back of curb for Gomer Road;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - denial.

APPROVALS: 1 card

PROTESTS: 7 cards, 1 letter

COUNTY COMMISSION ACTION: May 22, 2024 – HELD – To 06/05/24 – per the applicant.

COUNTY COMMISSION ACTION: June 5, 2024 – HELD – To 07/03/24 – per the applicant.

APPLICANT: KHUSROW ROOHANI

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