

11/20/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0538-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce net lot size; **2)** increase fill height; **3)** increase retaining wall height; and **4)** increase driveway width.

DESIGN REVIEW for a single-family residential subdivision on 2.34 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the northeast corner of Belcastro Street and Torino Avenue within Enterprise. JJ/jud/kh (For possible action)

RELATED INFORMATION:

APN:

176-15-801-045

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the net lot size to 17,338 square feet where 18,000 square feet is the standard per Section 30.02.04 (a 4% reduction).
2. Increase fill height to 6.2 feet where a maximum height of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 107% increase).
3. Increase retaining wall height to 6.2 feet where a maximum of 3 feet is permitted per Section 30.04.03C (a 107% increase).
4. Increase driveway width to 28.67 feet where a maximum of 28 feet is permitted per Uniform Standard Drawing 222 (a 3% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.34
- Project Type: Single-family residential
- Number of Lots: 4
- Density (du/ac): 1.71
- Minimum/Maximum Gross Lot Size (square feet): 20,000/24,135
- Minimum/Maximum Net Lot Size (square feet): 17,338/22,785
- Number of Stories: 1
- Building Height: 22 feet, 2 inches
- Square Feet: 3,479 to 4,019

Site Plan

The plan depicts a 4 lot single-family residential subdivision. Direct access for Lots 1, 2, and 3 is from Torino Avenue and Lot 4 is accessed directly via Belcastro Street. A 5 foot wide drainage easement is located along the east property line of Lot 1. Immediately west of this easement is a proposed 4.2 foot high retaining wall with a 6 foot high screen wall on top. Along the north and east property lines of Lot 4 are proposed 6.2 foot high retaining walls with 6 foot high screen walls on top. The property to the east of the site is currently developed as a single-family residence. The property to the north of the site is undeveloped and planned for similar density single-family residential development. The net lot size for Lot 3 is 17,338. The other lots meet the minimum size standards.

Landscaping

The plan depicts a 5 foot wide detached sidewalk located along Belcastro Street and Torino Avenue. Ten trees are depicted on the landscape plan along Belcastro Street and 7 trees are depicted along Torino Avenue. Trees are spaced 20 feet on center and all trees will have 3 shrubs.

Elevations

The building design consists of covered entries, covered patios, variable rooflines, window trim, and a variety of exterior materials. The residential models consist of large windows and a combination of stucco finishes. The building height ranges from 20 feet, 9 inches to 22 feet, 2 inches and they reflect contemporary designs.

Floor Plans

The plans depict 2, one story models from 3,479 square feet to 4,019 square feet. Each home will have a 3 car garage with EV charging capability.

Applicant's Justification

The applicant states that the proposed development is 2.34 gross acres, with a 4 lot single-family residential subdivision with 1.71 dwelling units per acre. The request to reduce the net lot size to 17,338 square feet is necessary since the other parcel lines cannot be relocated because the product must be compatible with their dimensions and shifting them would result in insufficient space for the other lots to accommodate the required architecture. The increase in retaining wall height and excess fill is for better control and water redirection of the water run-off. Additionally, the applicant states that the request for driveway width would not have an impact and would not translate into excess hardscape.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-23-0832	Reclassified 2.5 acres from R-E to R-D zoning for a future residential development	Withdrawn	August 2024
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped & single-family residential

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

Related Applications

Application Number	Request
VS-24-0539	A vacation and abandonment of 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 through #3

The applicant is requesting to reduce the net lot area for Lot 3, which is proposed at 17,338 square feet in net lot size where 18,000 square feet is the minimum per Title 30. Staff finds that even though the reduction in net lot area will not be discernible and will not disrupt the rural character of the neighborhood, it is a self-imposed hardship as the site has not been subdivided yet and readjusting the property lines would allow for the required net lot size to be met for all 4 lots.

Additionally, over 6 feet of increased finished grade along the north and east property lines will not meet the intent of Title 30 for limiting the impacts to adjacent residential property. Lots 1 and 4 are 90 feet wide, which allows room for tiered retaining walls. These are self-imposed hardships that can be rectified with a redesign of the subdivision. The proposed retaining walls and increased finished grade do not meet the intent of Master Plan Policy EN-1.1, which encourages uniform neighborhood development. For these reasons, staff cannot support these 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 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 development provides site access without negative impacts to adjacent roadways or neighborhood traffic. Furthermore, the proposed residential homes will meet setbacks, architectural, and aesthetic standards. However, staff finds that the site should be redesigned to meet the Code requirements. Therefore, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the increases in driveway widths. The extra space between each driveway should provide more visibility.

Staff Recommendation

Approval of waiver of development standards #4; denial of waivers of development standards #1 through #3 and the 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 2 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 25 feet to the back-of-curb for Torino Avenue, 25 feet to the back-of-curb for Belcastro 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0214-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: KHUSROW ROOHANI

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