

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0025-RSR INVESTMENTS, LLC & MOHAWK/OLETA SERIES:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** wall height; **2)** finished grade; **3)** eliminate street landscaping; and **4)** off-site improvements.

DESIGN REVIEW for a single family residential subdivision on 2.5 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the southeast corner of Oleta Avenue and Mohawk Street within Enterprise. JJ/sd/ng (For possible action)

RELATED INFORMATION:

APN:

176-24-601-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Increase the retaining wall height to 4 feet where 3 feet is allowed per Section 30.04.03 C (a 33% increase).
- b. Increase the screen wall height to 10 feet where a maximum of 6 feet is allowed per Section 30.04.03 B (a 67% increase).
2. Increase finished grade to 4 feet within 5 feet from a shared property line where a maximum of 3 feet is allowed per Section 30.04.06F (a 33% increase).
3. a. Eliminate street landscaping along Oleta Avenue where 10 feet of landscaping is required per Section 30.04.01.D.7.
- b. Eliminate street landscaping along Mohawk Street where 10 feet of landscaping is required per Section 30.04.01.D.7.
4. a. Waive off-site improvements along Oleta Avenue (curb, gutter, detached sidewalk, streetlight and partial pavement) where required per Section 30.04.08 C.
- b. Waive off-site improvements along Mohawk Street (curb, gutter, detached sidewalk, streetlight and partial pavement) where required per Section 30.04.08 C.

LAND USE PLAN:

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

BACKGROUND:

Project Description

- General Summary
- Site Address: N/A
- Site Acreage: 2.5

- Project Type: Single family residential
- Number of Lots/Units: 4
- Density (du/ac): 1.6
- Minimum/Maximum Lot Size (square feet): 20,022/26,959 (net)/20,022/28,885 (gross)
- Number of Stories: 1
- Building Height (feet): 18
- Square Feet: 4,090, 4,190, 4,260 (residences)/ 797 (casita/pool house option)

Site Plans

The plans depict a 4 lot single family subdivision located at the southeast corner of Mohawk Street and Oleta Avenue. A total of 4 single family lots are shown with Lot 4 having access from Mohawk Street and the other Lots (1 through 3) will have access from Oleta Avenue. As part of this application, a waiver of development standards is requested for an increase in both retaining wall height and screening wall height (4 foot retaining and 10 foot screen wall) between Lot 3 and APN 176-24-601-021, and increased retaining wall height (4 foot retaining and 6 foot screening) between Lot 4 and APN 176-24-601-029, where a 9 foot maximum (3 foot retaining wall and 6 foot screen wall) is allowed. Also, there is a request to increase grade to 4 feet within 5 feet of shared property lines along the east and south.

Landscaping

The applicant has not submitted a landscape plan as they are requesting a waiver of development standards to eliminate street landscaping along Oleta Avenue and Mohawk Street where detached sidewalks are required.

Elevations

The plans depict single family residences that are 1 story. The exterior elevations reflect mid-century, prairie, and modern designs and finishes. Elevation heights range between 16 feet to 19 feet. Exterior materials include stone veneer, stucco finish, concrete tile roof with a pitched roof line, and roll-up doors.

Floor Plans

The proposed single story homes are 4,090 square feet, 4,190 square feet, and 4,260 square feet respectively. Floor plans include the standards associated with single family residences with either option of 3 or 4 bedrooms, bathrooms, laundry room, 2 or 3 car garage, dining room, kitchen, game room and foyer. Certain models will have a casita or pool house option.

Applicant's Justification

The applicant states that several waivers are requested, including increased wall height for a 14 foot maximum combination wall (4 foot retaining and 10 foot screen wall as well as a 10 foot maximum combination wall (4 foot retaining and 6 foot screen wall)) between Lot 4 and APN 176-24-601-029, where a 9 foot maximum (3 foot retaining wall and 6 foot screen wall) is allowed. The heightened retaining wall is necessary to ensure adequate drainage of the lot while aligning with the existing grades of both Oleta Avenue and Mohawk Street. Simultaneously, a 10 foot screen wall is being requested to enhance screening between the proposed development and the existing home to the east. This is justified by the need to balance drainage considerations

with the existing topography, while also addressing concerns related to privacy and screening in the context of adjacent properties.

The requested waivers include the elimination of street landscaping along both Oleta Avenue and Mohawk Street due to a request to maintain the rural character of the area by waiving off-site improvements. Likewise, off-site improvements are also requesting to be waived.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|-------------------------------------------------------------------|-----------------|--------------|
| ZC-1026-05 | Reclassified 3,800 parcels of land 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) | Single family residential & undeveloped |

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

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

Waiver 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 #1a

The increase in retaining wall height to 4 feet cannot be supported by staff in relation to the increased grade within 5 feet of a shared property line. If the grade increase to 4 feet was located outside of the 5 feet of a shared property line, staff could support the increase in retaining wall height. Staff believes the wall design can be redesigned to accommodate these conditions set out in Code. In addition, the request of 10 foot screen wall on top of the increased retaining wall height will cause a negative impact to the adjacent properties. Therefore, staff cannot support the request.

Waiver of Development Standards #1b

The applicant has not provided a justification as to why a 10 foot high screen wall is proposed and has not provided any mitigation of the impacts to the adjacent properties. Staff believes the request of 10 foot screen wall is excessive, and therefore recommends denial.

Waiver of Development Standards#2

The request to increase grade for drainage for both Lot 3 and Lot 4 cannot be supported by staff as designed. Section 30.04.06F of Code states that no more than 3 feet is allowed within 5 feet of the shared property line of a residential property. The applicant could reduce the increased grade to 3 feet within this area and still be able to provide the requested 4 feet increase beyond 5 feet of the property lines without the need of a waiver. In addition, maintaining a maximum retaining wall height of 3 feet would lessen impacts of an increased wall height to the adjacent properties. Staff cannot support this request.

Waiver of Development Standards #3

Staff typically does not support requests to eliminate street landscaping requirements. While the request matches the existing immediate neighborhood, Public Works is recommending denial of the requested off-site waivers and elimination of the street landscaping will increase the heat island effect; therefore, staff cannot support this request. Staff can support 6 feet of landscaping along the street per Section 30.04.01D.

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 layout of the proposed residential subdivision is typical for the area. The proposed elevations show a standard single family residential home often found within the County and within the immediate area. Architectural enhancements are provided on all sides of the proposed residences. Staff finds that the design of the residences comply with the Master Plan which promotes projects that provide varied neighborhood design and/or architecture. However, since staff is not recommending approval of the waivers, staff cannot support the design review as submitted.

Public Works - Development Review

Waiver of Development Standard #4

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.

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:

- 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 a lack of necessary public services in the area.
- 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;
- Right-of-way dedication to include 30 feet for Mohawk Street, 30 feet for Oleta Avenue, and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions).

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 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

- 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 #0007-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval (change waiver of development standards #1b to 7 foot wall; provide a 5 foot asphalt path along Oleta Avenue and Mohawk Street; install wrought iron fence on any combination of retaining and decorative wall over 9 feet).

APPROVALS:

PROTESTS:

APPLICANT: PINNACLE HOMES

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