

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0290-COSMIC DEVELOPMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a gated community; **2)** increase wall height; and **3)** eliminate street landscaping in conjunction with a proposed single-family residential subdivision on 2.11 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the north side of Ann Road, 585 feet west of Grand Canyon Drive within Lone Mountain. RM/rp/syp (For possible action)

RELATED INFORMATION:

APN:

125-30-402-020

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a gated community within the Neighborhood Protection (RNP) Overlay where not permissible per Section 30.02.26.
2. Increase perimeter wall height to 8 feet where a maximum of 6 feet is allowed per Section 30.04.03B (a 34% increase).
3. Eliminate street landscaping along Ann Road where 10 feet of landscaping is required per Section 30.04.01D (a 100% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 9748 W. Ann Road
- Site Acreage: 2.11
- Project Type: Single-family residential
- Number of Lots/Units: 4
- Minimum/Maximum Lot Size (square feet): 19,194/19,812 (net)/20,956/24,612 (gross)
- Number of Stories: 2
- Building Height: 26 feet, 3 inches
- Square Feet: 5,953 (Lot 1)/6,554 (Lot 2)/6,560 (Lot 3)/5,955 (Lot 4)

Site Plan

The plans depict a 4 lot single-family subdivision located on the north side of Ann Road, 585 feet west of Grand Canyon Drive. Lots 1 and 2 have a shared driveway and Lots 3 and 4 have a

shared driveway. A total of 4 single-family lots are shown with access to Ann Road via a private gated cul-de-sac. As part of this application, the waivers of development standards are requested for an increase in perimeter wall to 8 feet where a maximum 6 foot high wall is allowed, and a request to permit a gated community where not permissible in Neighborhood Protection (RNP) Overlay.

Landscaping

The applicant has not submitted a landscape plan as they are requesting a waiver of development standards to eliminate street landscaping along Ann Road. Code requires 9 large trees along Ann Road.

Elevations

The plan depicts single-family residences that are 2 story, 26 feet 3 inches in height. The exterior elevations reflect modern design and finish. Exterior materials consist of grey and brown stucco, alumawood trellises, ceramic tiles, windows, and garage doors.

Floor Plans

The proposed single-family residences are 5,953 square feet (Lot 1), 6,554 square feet (Lot 2), 6,560 square feet (Lot 3), 5,955 square feet (Lot 4). Floor plans depict single-family residences with options of 4 or 5 bedrooms, bathrooms, laundry room, 4 car garage, dining room, kitchen, kids activity room, office, exercise, theater, and foyer. Certain models will have outdoor kitchens.

Applicant's Justification

The applicant is requesting a waiver to develop a gated community. The applicant states that the proposed upscale cul-de-sac will accommodate 4 residents and the installation of a gate is imperative to serve as an additional safety measure and will bolster the security infrastructure of the cul-de-sac, offering peace of mind to its residents. The applicant indicate that the entryway, gate, and call box setback dimension meet the standard requirements established by Uniform Standard Drawing 222.1.

The applicant is also requesting a waiver to increase the height of the perimeter wall to 8 feet tall where 6 feet is allowed. The applicant states that given the proximity to a heavy used 4 lane roadway on the south side, and vacant land stretching to the west, increasing the wall height will significantly enhance noise reduction from the main street and will provide heightened security and offer residents an aesthetically pleasing view of their backyard.

Lastly, the applicant is requesting a waiver to eliminate landscaping and installing the perimeter wall at the property line. The applicant indicates that there is no added benefit to incorporating landscaping along the wall. Adding landscaping could cause unnecessary additional water use, water meters, and ongoing maintenance. The applicant states the trees that would be lining the street will be located in the yard of the 2 homes abutting Ann Road. The applicant states that all 4 homes will be providing trees and vegetation, providing the benefits of urban trees, while not causing any unnecessary hardships or land restrictions.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-24-0246	Vacated and abandoned of patent easement	Approved by PC	July 2024
SC-23-0699	Street name Snowlee Court established for a private unnamed cul-de-sac	Approved by PC	December 2023
ZC-0296-01	Reclassified R-U & R-E zoning to R-E (RNP-I) zoning and from R-A to R-A (RNP-I) zoning	Approved by BCC	September 2001

Surrounding Land Use

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

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

Gated communities may impact the rural nature of an RNP. However, larger subdivisions with long expanses of walls exist along Ann Road so this gated 4-lot subdivision should not create an additional impact to the RNP. Another purpose of restricting gated communities is to allow the streets to develop in a grid pattern. Staff finds that the proposed gate and call box will not have any adverse effect on traffic. The only street that this subdivision touches is Ann Road, so there will be no impact. Therefore, staff can support this request.

Waiver of Development Standards #2

Staff finds that the proposed increased wall height will not have any adverse effects on the adjacent property or others in the neighborhood. While the CMU block wall meets the Title 30 requirements for a wall to be decorative when located along a street, staff typically does not

support requests to increase wall height along the street unless landscaping is provided. Therefore, staff cannot support this request.

Waiver of Development Standards #3

Code requires 9 large trees along Ann Road and no trees are provided. Staff typically does not support requests to eliminate street landscaping requirements. Eliminating street landscaping will increase the heat island effect. Staff finds that there is no justification to not install landscaping. Therefore, staff cannot support this request and a tree fee in lieu will be required.

Staff Recommendation

Approval of waiver of development standards #1; denial of waivers of development standards #2 and #3.

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:

- Applicant is advised a tree-fee in lieu shall be paid to the County for each street tree waived; 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

- Comply with approved drainage study PW23-17751;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

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; and to inquire with 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.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: COSMIC DEVELOPMENT, LLC

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