

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0185-RAINBOW ACRES, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setback; **2)** increase fill height; **3)** increase wall height; **4)** allow attached sidewalks; and **5)** waive off-site improvements (curb, gutter, streetlights, and partial paving); and **6)** waive full off-site improvements.

DESIGN REVIEW for a proposed single-family residential development on 4.1 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the southeast corner of Farm Road and Rainbow Boulevard within Lone Mountain. MK/sd/kh (For possible action)

RELATED INFORMATION:

APN:

125-14-301-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the front setback to 20 feet where 40 feet is required per Section 30.02.04B (a 50% reduction).
2.
 - a. Increase fill height to 3.5 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 17% increase).
 - b. Increase fill height to 4 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 33% increase).
3.
 - a. Increase the height of a proposed retaining wall to 4 feet along the south property line where 3 feet is the maximum per Section 30.04.03C (a 33% increase).
 - b. Increase the height of a proposed retaining wall to 3.5 feet along the east property line where 3 feet is the maximum per Section 30.04.03C (a 15% increase).
4. Allow a proposed attached sidewalk along Rainbow Boulevard where detached sidewalks are required per Section 30.04.08C.
5. Waive off-site improvements (curb, gutter, streetlights, and partial paving) along Rainbow Boulevard where full off-site improvements are required per Section 30.04.08C.
6. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Farm Road where full 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: 7560 N. Rainbow Boulevard
- Site Acreage: 4.1
- Project Type: Single-family residential development
- Number of Lots/Units: 8
- Density (du/ac): 1.93
- Minimum/Maximum Lot Size (square feet): 23,611/21,117 (gross)/20,920;18,005 (net)
- Number of Stories: 1
- Building Height (feet): 23
- Square Feet: 3,099 to 4,136

Site Plans

The plans depict an 8 lot single-family residential development with a density of 1.93 dwelling units per acre. The lots range in size from 22,118 square feet to 24,106 square feet. Access to the subdivision is from Rainbow Boulevard through a private being Rainbow Court. There is a total of 8 lots with 4 lots on each side of the private street. Each will have a driveway facing towards Rainbow Court. An attached sidewalk is proposed along Rainbow Boulevard.

Landscaping

The plans depict street landscaping along Farm Road and Rainbow Boulevard with large trees spaced at 26 feet within a 10 foot wide landscape area. No landscaping is required for private streets.

Elevations

The applicant states the exterior of the homes consists of large decorative windows and a combinations of stucco finish. All proposed elevations meet the architectural features for each residence per Code requirements. Each home will have a 3 to 4 car garage with EV charging capabilities, in addition to a full-length driveway.

Floor Plans

The plans depict single-story detached single-family homes that range in size from 3,099 square feet to 4,136 square feet.

Applicant's Justification

Maintaining the standard front setback 40 feet significantly restricts the available buildable space on the property. To ensure the house fits property within the lot boundaries, a request to reduce the front setback to 20 feet is requested with this application. The adjacent residential communities to the north, south and east lack similar off-site improvements, which establishes a precedent for the proposed development. In alignment with the existing infrastructure standards in the surrounding area, implementing off-site improvements may not be necessary or practical. The excess fill in the amount of 3.5 feet and 4 feet along the east and south property lines, respectively, is needed to ensure adequate drainage for Lot 4. The increase in retaining wall height is also necessary to maintain adequate drainage for the proposed development.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|---------------|
| TM-0047-08 | 9 lot single-family residential subdivision on 5.1 acres - expired | Approved by PC | April 2008 |
| TM-0024-06 | 10 lot single family residential subdivision on 4.1 acres - expired | Approved by PC | March 2006 |
| WS-0068-06 | Waiver of development standards to reduce lot area and off-site improvements | Approved by PC | February 2006 |
| ZC-0296-01 | Zone change to reclassify various parcels within Lone Mountain from R-U and R-E to R-E (RNP-I) and from R-A to R-A (RNP-I) and from R-A to R-A (RNP-II) | Approved by BCC | August 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 | City of Las Vegas | R-E | Single-family residential |

Related Applications

| Application Number | Request |
|---------------------------|--|
| TM-25-500042 | 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

Staff reviews waiver of development standards requests to ensure compatibility with the existing developments in the area. Staff cannot support the requested waiver of development standards to reduce the front setbacks from the required 40 feet to 20 feet. The applicant has stated they are providing decorative features to reduce the setback by 12 feet in accordance with Title 30,

however upon review of the elevations it appears the homes would encroach more than the 50% of the width of the residence which is not in compliance with Title 30. With this property being within the Neighborhood Protection (RNP) Overlay there are criteria in the Code that stipulates lot layout, setbacks, scale of construction and spatial relationship between buildings. Staff finds this request to be a self-imposed hardship. Therefore, staff cannot support this request.

Waivers of Development Standards #2 & #3

Per the plans submitted, the increase in fill within 5 feet of the property line is 3.2 feet along the west property line. Additionally, retaining walls are shown with a maximum height of 3.1 feet. Staff finds the proposed increase is minimal and is less than requested by the applicant; therefore, staff can support these waivers.

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 design of the homes incorporates design elements including recessed windows and garage doors, variable roof lines and building materials and parapet walls. Each of the homes do not exceed the maximum permissible height and are typical of other residential subdivisions within the County. However, since staff is not supporting waivers of development standards #1, and #4 through #6, staff cannot support the design review for this proposal and recommends denial.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support the request to install attached sidewalks in place of detached sidewalks along Rainbow Boulevard. The site has no existing off-site improvements, therefore there is no reason a detached sidewalks cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waivers of Development Standards #5 & #6

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 waivers of development standards for full off-site improvements as there are existing full off-site improvements to the west and north of the site.

Staff Recommendation

Approval of waivers of development standards #2 and #3; denial of waivers of development standards #1, and #4 through #6 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 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;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- No comment.

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 for any sanitary sewer needs, 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.

TAB/CAC: Lone Mountain - approval of waivers of development standards #1 through #3, and #5 and #6, and the design review; denial of waiver of development standards #4.

APPROVALS:

PROTESTS:

APPLICANT: WOODSIDE HOMES OF NEVADA, LLC

CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118