

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0798-CLARK PAT GST TRUST & CLARK PAT TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce and eliminate street landscaping; **2)** increase building height; **3)** reduce building separation; **4)** increase retaining wall height; **5)** modify residential adjacency standards; and **6)** waive full off-site improvements in conjunction with a proposed single-family residence on 2.47 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located south of Kraft Avenue and west of Grand Canyon Drive within Lone Mountain. AB/bb/kh (For possible action)

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RELATED INFORMATION:

**APN:**

138-06-104-022

**WAIVERS OF DEVELOPMENT STANDARDS:**

1.
  - a. Eliminate street landscaping strip along a portion of Kraft Avenue where a minimum of 6 feet is required per Section 30.04.01D.
  - b. Eliminate street landscaping along a portion of Grand Canyon Drive where a minimum of 6 feet is required per Section 30.04.01D.
2. Increase building height to 39 feet where a maximum of 35 feet is allowed per Section 30.02.04 (an 11% increase).
3. Reduce the building separation between a detached accessory building and a single-family family residence to 5 feet where 6 feet is required per Section 30.02.04 (a 17% reduction).
4. Increase retaining wall height to 8.5 feet along the south property line where a maximum of 3 feet is permitted per Section 30.04.03C (a 184% increase).
5.
  - a. Increase fill to 8 feet along the south property line where a maximum of 3 feet is allowed within 5 feet of a shared property line per Section 30.04.06F (a 167% increase).
  - b. Increase fill to 9 feet along the south property line where a maximum of 6 feet is allowed within 20 feet of a shared property line per Section 30.04.06F (a 50% increase).
  - c. Increase building height to 39 feet where a maximum of 35 feet is allowed per Section 30.04.06 G (a 9% increase).
6.
  - a. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Kraft Avenue where required per Section 30.04.08C.
  - b. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Grand Canyon Drive where 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: N/A
- Site Acreage: 2.47
- Project Type: Single-family residential
- Number of Lots/Units: 1
- Density (du/ac): 0.4
- Number of Stories: 3
- Building Height (feet): 39 residence/20 fitness building/18 game building
- Square Feet: 9,473 residence/8,571 attached garages/2,213 fitness building/1,703 game building
- Parking Required/Provided: 2/2

**Site Plan**

The plan depicts a proposed single-family residence with several accessory structures. The property has direct access from Kraft Avenue, a local street, with 2 proposed gated driveways along the north property line. The house faces Grand Canyon Drive but no vehicular access is provided to Grand Canyon Drive. A large, attached garage and detached carport are on the north side of the property. The carport is separated from the house by 5.37 feet at the closest point, which is the subject of a waiver of development standards. A detached carport and additional attached garages are located along the east side of the residence. Attached patio covers are located on the north and west sides of the proposed single-family residence. A detached game room building will be centrally located on the site, 23 feet from the west property line. The game room has an attached covered patio shown on the east side of the building, 6 feet west of a proposed 600 square foot swimming pool. A detached fitness room building is shown at the southwest corner of the parcel, 20 feet from the south property line, and over 30 feet from the west property line. The fitness room building has an attached patio cover on the north side of the building.

**Landscaping**

The plan depicts street landscaping along Kraft Avenue with 8 large trees required and 8 trees provided, in addition to required shrubs. No landscaping is provided at the northeast and northwest corners of the site and in front of the trash enclosure between the driveways, which is the subject of a waiver request. The plan shows 3 retaining walls, each 3 feet high, with 2 landscape strips of 3 feet each along Grand Canyon Drive. The first 6 feet includes 2 retaining walls and landscaping and is the subject of a waiver request for not meeting the full 6 foot width of landscaping adjacent to the east property line. Thirty small trees are shown every 10 feet along Grand Canyon Drive and staggered along the top of both retaining wall landscape areas. This area is the subject of a waiver due to the retaining walls not allowing for a full 6 foot landscape width. The southeastern portion of the property will have up to 9 feet of added fill, which is also the subject of a waiver request.

### Elevations

The elevations depict a mostly single story single-family residence with stone veneer, concrete tile roof, floor to ceiling windows on the east and west sides, vertical accents, side loaded garages, and stucco siding with a variety of painted surfaces. The north and east side carports match the design of the residence with stone veneer, grey metal roofing, and stucco. Most of the single-family residence is 25 feet to 27 feet in height, with a third floor tower extending to 39 feet in height. The fitness room is 20 feet in height with matching materials the residence. The fitness room has floor to ceiling windows on the north side, horizontal high windows facing south, and a variety of roof lines. The game room elevations show similar architecture and materials and the residence and fitness room. Floor to ceiling windows face east towards the pool and covered patio. The game room building is approximately 4 feet below the grade of the adjacent lot to the west, and about 10 feet below the top of the existing wall on the west property line. The game room building is 18 feet high with a non-uniform roof plane and extended eves, and a blank wall facing the west.

### Floor Plans

The plans show the single-family residence with 9,473 square feet of living space, 3,486 square feet of attached garage space with interior access to the residence, and a 5,085 square foot garage with no interior access to the residence. The detached fitness room building is 2,213 square feet with a 768 foot attached covered patio and 54 square feet of attached storage space on the west side of the building. The detached game room building is 1,703 square feet with 580 square foot attached covered patio space, and 117 square feet of attached storage space on the north side of the building. The third level of the tower, which is the subject of the increased height waiver, is less than 300 square feet of the total footprint of the residence.

### Applicant's Justification

The applicant is requesting to develop an existing single-family residential property that is zoned RS20 (Residential Single-Family 20) on 107,778 gross square feet (2.47 acres) and 85,851 square feet (1.97 acres) after street dedication. The site will have 2 access points along Kraft Avenue with interior driveways leading to 3 side loaded garages facing Grand Canyon Drive. The proposed retaining walls and increased finished grades are required to meet drainage standards. The proposed structures meet the setbacks with Grand Canyon Drive being the front, Kraft Avenue a street side, the west property line is the rear, and the south property line is the interior side. A view loft is proposed in the middle of the residence that will extend to 39 feet in height for a small footprint area. The carport on the north side of the residence requires a building separation waiver to maintain the location in proximity to the north entrance. Off-site improvements are not proposed in order to match the surrounding area development patterns. The 2 gates located along Kraft Avenue are allowed for individual residential use.

### **Surrounding Land Use**

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

The gaps in landscaping along Kraft Avenue are in front of the trash enclosure and at the west and east end of the north property line. The applicant is providing the correct number of trees and shrubs, but the 6 foot wide landscape strip is not fully provided along Kraft Avenue. The landscape plan includes 30 small trees and required shrubs along Grand Canyon Drive in two, 3 foot wide planter spaces between 3 tiered retaining walls, however, walls are not permitted in street landscape areas. The purpose of street landscaping is to provide shade for streets and sidewalks to mitigate the urban heat island effect. Regardless of the street landscaping design, staff finds the applicant is providing the required number of street trees. Therefore, staff can support this request.

##### Waivers of Development Standards #2 & #5c

The view loft will include a third level that has 294 square feet extending to a maximum height of 39 feet. The view loft will be approximately 27 feet higher than the existing screen wall along the west property line. The remainder of the residence will be roughly 16 feet higher than the screen wall along the west property line. The additional height is not compatible with surrounding areas. Therefore, staff cannot support these requests.

##### Waiver of Development Standards #3

The north carport separation from the main residence is less than 6 feet and is not compatible with the surrounding area and development standards. The carport setback requirement from the north property line is 10 feet where it currently has a 14 foot setback. The carport could be moved slightly to the north to meet the separation requirement. Staff cannot support this request.

##### Waivers of Development Standards #4, #5a, & #5b

The retaining walls located along the south property line will be up to 8.5 feet in height with a screen wall on top. The remainder of this property will meet the 3 foot maximum retaining wall height standards, including along both streets. There is no compelling justification for not constructing similar tiered walls along the south property line. The increased fill along the south property line is not compatible with the surrounding area and creates a condition that requires

high walls adjacent to planned residential a property. Therefore, staff does not support these requests.

### **Public Works - Development Review**

#### Waiver of Development Standards #6

Staff cannot support the request not to install full off-site improvements on Kraft Avenue and Grand Canyon Drive. Full width paving, curb, and gutter allows for better traffic flow and drainage control, sidewalks on public streets provide safer pathways for pedestrians, and streetlights for better visibility.

### **Staff Recommendation**

Approval of waiver of development standards #1; denial of waivers of development standards #2 through #6.

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;
- Right-of-way dedication to include 30 feet for Kraft Avenue, 40 feet for Grand Canyon Drive and associated spandrel;
- Said dedication must occur prior to issuance of building permits, concurrent with the recording of a subdivision map, OR within 30 calendar days from a request for dedication by the County;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to construct a 5 foot detached asphalt path along Kraft Avenue and Grand Canyon Drive.
- Applicant is advised that trees are not permitted within the sight visibility zones.

**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, applicant is advised 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 #1a (3 foot wall with 6 foot landscape), #1b (3 tier landscape (3 foot wall, 3 foot landscape, 3 foot wall, 3 foot landscape, 3 foot wall, and 3 foot landscape)), waivers of development standards #3, #4, #5a, #5b, and #6; denial of waivers of development standards #2 and #5c).

**APPROVALS:****PROTESTS:**

**APPLICANT:** GULF ATLANTIC CAPITAL

**CONTACT:** CLARK PAT GST TRUST & CLARK PAT TRS, 3940 W. TROPICANA AVENUE, LAS VEGAS, NV 89103