

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0164-MICHAEL JOHN T.:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow existing attached sidewalks; and **2)** modified street design standards.

DESIGN REVIEW for the following: **1)** modifications to a previously approved single-family residential development (Phase 1); and **2)** a proposed single-family residential development (Phase 2) on 4.33 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Warm Springs Road, 200 feet east of Topaz Street within Paradise. JG/hw/cv (For possible action)

RELATED INFORMATION:

APN:

177-12-102-002; 177-12-102-014

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow existing attached sidewalks along Warm Springs Road for Phase 2 where detached sidewalks are required by Section 30.04.08C.
2. Increase the length of a street not terminating in a County-approved turnaround to **232 feet** where 150 feet is the standard per Section 30.04.08E (**a 54% increase**).

PROPOSED LAND USE PLAN:

WINCHESTER/PARADISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC) [PHASE 2]

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.83 (Phase 2)/3.5 (Phase 1)/4.33 (overall)
- Project Type: Single-family residential subdivision
- Number of Lots: 5 (Phase 2)/20 (Phase 1)
- Density (du/ac): 6.02 (Phase 2)/5.8 (Phase 1)
- Minimum/Maximum Lot Size (square feet): **4,154/8,612** (Phase 2)/**4,199/10,006** (Phase 1)
- Number of Stories: 1 to 2
- Building Height (feet): Up to 26.5 (Phase 2)
- Square Feet: 2,358 (minimum)/2,621 (maximum) (Phase 2)

Site Plans

The plans show a proposed 5 lot single-family detached residential subdivision (Phase 2) located on the south side of Warm Springs Road approximately 50 feet to the east of Topaz Street. The subject site is currently occupied by an existing 1,945 square foot single-family residence that will be demolished to accommodate the proposed subdivision. The plans show the proposed single-family residential subdivision on the subject site is a second phase expansion of the previously approved 20 lot single-family residential subdivision to the east (Phase 1), which was approved in June 2024 through WS-24-0096 and TM-24-500025 and the accompanying PA-24-700003 and ZC-24-0095. The plans show Phase 2 (subject site) is 0.83 acres with a density of 6.02 dwelling units per acre. The lots in the proposed subdivision will range in size from **4,154 square feet** up to **8,612 square feet**. The plans show all lots will be accessed from an interior 42 foot wide north-south running private street. The private street is 42 feet wide inclusive of a 4 foot wide attached sidewalk on the west side of the street. The private street runs approximately **109 feet** through the length of the subdivision and terminates in a stub street. The proposed private street will connect with the street network of the previously approved subdivision to the east and through this network will access Warm Spring Road. Inclusive of the portion of the street on the adjacent property, the full length of the private stub street will reach **232 feet** long. Five foot wide attached sidewalks are provided along Warm Springs Road.

The previously approved plans for the Phase 1 portion of the project depicted a single-family residential development consisting of 20 lots on 3.5 acres with a density of 5.8 dwelling units per gross acre. The minimum and maximum lot sizes were shown ranging from 4,284 square feet up to 9,963 square feet, respectively, **but will now range from 4,199 square feet up to 10,006 square feet due to minor adjustments in lot lines**. Access to the site was granted via a 42 foot wide, north/south private street that connects to Warm Springs Road, inclusive of a 4 foot wide attached sidewalk. A second 42 foot wide, east/west private street within the development provided access to several interior lots and terminated into a stub street and cul-de-sac bulb at the west and east portions of the subdivision, respectively. As previously stated, this east/west private street will now curve south and run north to south within the Phase 2 portion of the project. The need to curve this street will also lead to a minor reduction in the lot area of Lot 18 of Phase 1 **to 4,963 square feet from 5,374 square feet**, and a minor **decrease** in lot area of Lot 19 of Phase 1 **is also required from 4,349 square feet down to 4,199 square feet**. As a result, the applicant will need to file an amended final map application to integrate the currently proposed subdivision with the previously approved Phase 1 to the east. This application will serve to amend the previous design review application for the site.

Landscaping

The proposed landscape plan for Phase 2 shows street landscaping will be provided along Warm Springs Road in a 10 foot wide landscape area behind an existing 5 foot wide attached sidewalk within a proposed common element, which will match the previously approved landscaping of Phase 1. The plans show the landscape area will contain Willow Acacia (*Acacia Salicina*) trees, medium trees as defined by Title 30, in a single row spaced every 20 feet on center. Overall, a total of 3 medium trees are provided along the street, where 3 medium trees are required for the Phase 2 portion of the site.

Elevations

The elevations for Phase 2 show 4 different models with 2 possible exterior designs for the homes. Each exterior corresponds with either a Contemporary Mediterranean or Craftsman style. Three of the models are 2 stories tall with one model at 1 story and will range in height from 18.7 feet to 28.9 feet. The exteriors will consist of painted stucco, gabled and split pitch roofs with concrete tile shingles, window accents and recessing, variations in roofline, and building pop-outs and extensions. A covered entry porch, stone veneer, various shutter styles, and significant fenestration are shown.

The elevations for the previously approved Phase 1 depicted 1 to 2 story model homes with a maximum height ranging between 23 feet to 28.5 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, decorative foam for trim, and accents. Some of the models also include decorative stone veneer and optional patio covers on the rear elevation. The side elevations of the model homes include a single architectural feature being a varying roofline.

Floor Plans

The models shown for Phase 2 range in size from 2,358 square feet up to 2,621 square feet, not including garage, porch, and optional spaces which range in size between 17 and 443 square feet, spread across one and two floors. Each model has 3 to 4 bedrooms with options that include walk-in closets, ensuite bathrooms, large living and dining spaces, game rooms, additional bedrooms, in-laws' suite, and gourmet kitchens. All homes have garage space for 2 cars.

The floor plans for Phase 1 previously showed 1 to 2 story model homes with multiple floor plans ranging from 1,892 square feet to 3,190 square feet. The models featured multiple bedrooms, bathrooms, kitchen, great room, and living room with 2 car garages.

Applicant's Justification

The proposed project will be a 5 lot residential subdivision and will be Phase 2 of a previously approved project directly to the east. The request to terminate the proposed street in a stub is due because providing a turnaround will severely impacts the developability of the site due to the width requirement, and the stub street will provide service to only 5 lots with limited vehicular access specific for the residences only. Additionally, the 5 foot sidewalk, curb and gutter, street lighting currently exists along the property frontage and east, west, and north of the site, and to provide the detached sidewalk and improvements the applicant would be required to remove the existing improvements and reconstruction to meet current standards. The adjacent properties to the north, east, and west are currently constructed with attached sidewalks.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-24-500025*	A tentative map consisting of 20 single-family residential lots	Approved by BCC	June 2024
WS-24-0096*	Design review and waiver for a single-family residential subdivision	Approved by BCC	June 2024

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-24-0095*	Reclassified the site from CP to RS3.3 for a single-family residential subdivision	Approved by BCC	June 2024
PA-24-700003*	Redesignated the site from Neighborhood Commercial to Mid-Intensity Suburban Neighborhood	Approved by BCC	June 2024
NZC-1264-07	Reclassified the site from R-E to CRT for a two-office building development - expired	Approved by BCC	January 2008
ZC-0116-03	Reclassified the site from CRT to C-P to convert an existing residence to an office	Denied by BCC	May 2003
ZC-1859-00	Reclassified the site from R-E to CRT to convert an existing residence to an office - expired	Approved by BCC	February 2001

*Applications related to the previously approved subdivision on APN 177-12-102-014.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Public Use	RS20	Flood channel & Sunset Park
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential development
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Undeveloped

* Duck Creek Wash is located directly to the west and to the north across Warm Springs Road.

**Union Pacific Railroad right-of-way is located to the north of the site across Warm Springs Road.

Related Applications

Application Number	Request
PA-25-700011	A plan amendment to redesignate the site from Neighborhood Commercial (NC) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-25-0163	A zone change from RS20 to RS3.3 on APN 177-12-102-002 is a companion item on this agenda.
TM-25-500039	A tentative map for 5 lot single-family residential lots 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.

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 single-family subdivision is proposing a variety of different housing options that should help prevent monotony by providing a relatively large number of models when compared to the number of lots within the subdivision. This should allow for different architectural styles and house sizes that should keep the streetscape interesting. The house plans also have different architectural enhancements for the access points of the homes. The proposed homes are similar in scale and size to the surrounding area and use materials and colors typical of the southwestern United States. The site is well parked with 4 spaces provided for each lot. The landscaping along the street is sufficient to shade the provided sidewalk, reducing heat islands effects. Additionally, the proposed lots sizes and house architecture are similar to the previously approved development that this proposed subdivision will be integrated into and will have sufficient legal access. The proposed design choices will effectively be mirrored between the two phases and no discernable differences between the two phases are expected. Finally, the single-family subdivision will support Master Plan Policies 1.3.1 and 1.4.4, which all support the development of compatible and continuous residential developments within in-fill areas of existing neighborhoods. Staff, however, cannot support the waivers of development standards, so staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to allow stub street over 150 feet to not provide a turnaround. Staff finds that the proposed stub streets will not provide adequate room for trucks to turn around, causing them to have to back out, creating the potential for collisions.

Waiver of Development Standards #1

Staff cannot support the request to not install detached sidewalks along Warm Springs Road. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic and with the redevelopment, staff finds that it is imperative to provide the detached sidewalks.

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. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: April 15, 2025 – APPROVED – Vote: Unanimous
Absent: Kirk

Comprehensive Planning

- An 8 foot wall on south side of Lot 5 to be installed before the building permit is issued for a residence on Lot 5;
- Street to end at the prolongation of the east/west property line between Lots 4 and 5;
- Disclosure to be provided to future homebuyers informing them of neighboring agricultural uses, including but not limited to horses and other livestock and associated odors, insects, and lighting;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that 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 and application for review; 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;
- Traffic study and compliance.

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.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 177-12-102-002; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

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 #0090-2025 to obtain your POC exhibit; and that Flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - approval (any adjacent neighbor who does not want their shared wall to be 8 feet high may request it be reduced to 6 feet high; disclosure to be provided to future homebuyers informing them of neighboring agricultural uses, including but not limited, to horses and other livestock and associated odors, insects, and lighting).

APPROVALS:

PROTESTS: 1 card, 1 letter

APPLICANT: SUMMIT HOMES OF NEVADA

CONTACT: VTN-NEVADA, 2727 S. RAINBOW BOULEVARD, LAS VEGAS, NV 89146