

12/04/24 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0568-KARACHOBANOV, PETAR & PETROV, GEORGE IVANOV:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce street landscaping; and **2)** allow an attached sidewalk.

**DESIGN REVIEW** for a single-family residential subdivision on 1.0 acre in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the north side of Levi Avenue and the west side of Charismatic Court within Enterprise. JJ/lm/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

176-35-510-001; 176-35-510-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce street landscaping width to 6 feet along Levi Avenue where 10 feet of street landscaping with an attached sidewalk is required per Section 30.04.01D.7.
2. Allow an attached sidewalk along Levi Avenue where a detached sidewalk is required per Section 30.04.08C.5.

**LAND USE PLAN:**

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10663 Charismatic Court & 10683 Charismatic Court
- Site Acreage: 1
- Project Type: Single-family residential
- Number of Lots/Units: 8
- Density (du/ac): 8
- Minimum/Maximum Lot Size (square feet): 4,799/7,026
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet (Minimum/Maximum): 1,614/2,643

**History & Site Plan**

The site was originally part of the previously approved 'Belmont Park' single-family residential subdivision (TM-0232-02) which included 134 lots on 20.18 acres with a density of 6.64 units

per acre. The proposed parcels with this application were listed as Lots 133 and 134 on the original map. The applicant is now proposing to subdivide Lots 133 and 134 further into 8 parcels. With the 2 subject lots removed, the 'Belmont Park' site acreage will reduce to 19.18 acres with 132 lots for a density of 6.88 units per acre. This density will still comply with the originally approved zoning (RS3.3) and planned land use category of Mid-Intensity Suburban Neighborhood.

The plans depict a single-family residential detached development with 8 lots on 1.0 acres located on the west side of Charismatic Court and the north side of Levi Avenue. The density of the new development is shown at 8 dwelling units per acre. All lots face Charismatic Court which is a 48 foot wide residential local street. The lots range in size from 4,799 square feet up to 7,026 square feet.

#### Landscaping

A 5 foot existing attached sidewalk is located along Levi Avenue along with an existing 6 foot wide landscape easement that was constructed with the original subdivision (Belmont Park). The proposed landscaping will be updated to meet the current materials requirement of 4 large trees planted every 30 feet with shrubs. Front yard landscaping will be provided with each residential lot.

#### Elevations

The proposed residences are 2 story with a maximum height of 25 feet. Three elevations are provided for each residence which includes a variety of façade design elements which can include stucco trim on all windows, shutters on front upper windows, corbels at the eaves, arches, stone veneer, and garage door treatments. Architectural details are provided on the front of the homes with windows, roofline variety, and façade treatments. The side elevations include the varied rooflines and window trim, with no other architectural details.

#### Floor Plans

The 3 floor plans depict a variety of options, including floor plans ranging in total area from 1,614 square feet to 2,643 square feet. Residences include a 2 car attached garage. Models range from 3 to 4 bedrooms depending on options chosen at the time of construction.

#### Applicant's Justification

The applicant indicates the proposed development will be comprised of 25 foot wide 2 story residences and will provide a pleasing architectural elevation. They state the developer believes that additional architectural enhancements will simply add cost to the homes without providing additional value for future homeowners. Additionally, the architectural style of the homes is compatible with the existing neighborhood in both size and features. The development site was part of the original development of Belmont Park, which installed the existing off-site improvements for Levi Avenue (paving, curb, gutter, sidewalk, and streetlight) and Charismatic Court (paving, roll curb, and gutter) along with the existing 6 foot wide landscape easement and screen fence. The updated landscape materials, trees and shrubs, will meet the current Code standards. The 6 foot width of the existing street landscape easement and location of the sidewalk will match in size and location to the original development of Belmont Park along the 2 streets.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-23-0305	Accessory structure prior to principal use - expired	Approved by PC	August 2023
WS-0620-10	Reduced setbacks for an 8 lot single-family subdivision - expired	Held by PC	August 2011
ZC-1572-06 (ET-0351-09)	Extension of time to reclassify 1 acre from R-E to R-2 zoning	Approved by BCC	January 2010
ZC-1572-06	Reclassified 1 acre from R-E to R-2 zoning	Approved by BCC	December 2006
TM-0389-02	147 single family residential lots	Approved by PC	October 2002
ZC-0432-02	Reclassified 18.8 acres from R-E to R-2 zoning - BCC excluded the subject parcels	Approved by BCC	July 2002

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Compact Neighborhood (up to 18 du/ac)	RS20	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Single-family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
TM-24-500124	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

Typically, staff does not support reductions in required street landscaping; however, the proposed landscape area along Levi Avenue was created with the rest of the 'Belmont Park' subdivision to the east which includes an existing block wall established behind the landscaping. The 6 foot landscape strip matches the landscape area to the east of Charismatic Court along Levi Avenue. Also, the applicant will plant trees to comply with today's Code. Therefore, staff can support this request.

#### 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 development meets the required lot size and density per Section 30.02.04. The proposed residences provide multiple architectural features on the front faces of the structures, but the side and rear elevations include minimal architectural features which could be enhanced in areas that are above the side yard walls. Additionally, the applicant gave no justification as to why they did not include additional architectural features such as recessed windows with overhangs or shutters to shade glass on the side and rear elevations. For this reason, staff cannot support the design review portion of this request.

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

##### Waiver of Development Standards #2

Staff cannot support the request to not install detached sidewalks along Levi Avenue. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

#### **Staff Recommendation**

Approval of waiver of development standards #1; denial of waiver of development standards #2 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:

- 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 the lack of necessary public services in the area;
- 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;
- Traffic study and compliance.
- Applicant is advised that off-site improvement permits may be required.

### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0429-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval (group adjoining driveways together to increase available street parking).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** GRANT T. GEORGE

**CONTACT:** THOMASON CONSULTING ENGINEERS, 7080 LA CIENEGA STREET, SUITE 200, LAS VEGAS, NV 89119