

07/02/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0351-ZSKSMAZ TOWNSHIP FAMILY TRUST & MALIK UMER TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase retaining wall height; and 2) reduce back of curb radius.

**DESIGN REVIEW** for a single-family detached residential development on 1.25 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located east of Arville Street and north of Pyle Avenue within Enterprise. JJ/bb/kh  
(For possible action)

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RELATED INFORMATION:

**APN:**

177-30-605-003

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Increase the height of a retaining wall along the east property line of Lot 3 to 5.5 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 183% increase).
- b. Increase the height of a retaining wall along the north property line to 4.5 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 150% increase).
2. Reduce the back of curb radius at Arville Street to 14 feet where 25 feet is required per Uniform Standard Drawing 201 (a 44% reduction).

**LAND USE PLAN:**

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.25
- Project Type: Single-family residential
- Number of Lots/Units: 6
- Density (du/ac): 4.76
- Minimum/Maximum Lot Size (square feet): 5,214/6,601
- Number of Stories: 2
- Building Height (feet): 29
- Square Feet: 1,684 to 2,605

### Site Plan

The plan depicts a proposed 6 lot subdivision on 1.25 acres at the northeast corner of Pyle Avenue and Arville Street. The lots range in size from 5,214 square feet to 6,601 square feet with access from Arville Street via a proposed 37 foot wide private street running east to west. A 4.5 foot retaining wall will be located along the north property line and a 5.5 foot high retaining wall will be located along a portion of the east property line.

### Landscaping

A 5 foot wide detached sidewalk is provided along Arville Street and Pyle Avenue with two, 5 foot wide landscape strips on both sides of the sidewalk. The plan depicts large trees and shrubs exceeding the minimum required per Title 30.

### Elevations

The plans depict six, 2 story detached dwellings, each with 3 elevation types. All 4 sides have a combination of textures, paints, stone veneer, accent colors, coach lighting, soffit elements, fascia returns, overhangs, faux shutters, cantilevers, off-set rooflines, garage door pattern variety, window casings, lap siding elements and other architectural features including an optional patio cover.

### Floor Plans

The plans depict detached dwellings with 3 bedrooms, 2.5 bathrooms, a variety of living spaces. Each home will have a 2 car garage. The floor area of proposed detached dwellings will range from 1,684 to 2,605 square feet.

### Applicant's Justification

The applicant states the increase in retaining wall height is necessary due to site development constraints, such as existing roadways and adjacent neighborhoods in relationship to drainage requirements. Retaining walls up to 5.5 feet may be needed to allow the project to meet minimum interior street slopes and maintain drainage patterns. The proposed single-family detached dwellings feature a second floor with a 20 foot front setback. A 37 foot private street is proposed to run east to west from Arville Street in the middle of the property. A waiver for back of curb radius is requested to allow 14 feet where 25 feet is required. The waiver will allow for the curb separation to driveways. The proposed change is negligible considering the small number of homes and low amount of traffic.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS3.3	Single-family residential

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ZC-25-0350	A zone change from RS20 to RS5.2 is a companion item on this agenda.
VS-25-0352	A vacation and abandonment of patent easements is a companion item on this agenda.
TM-25-500086	A tentative map for a 6 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 #1a & #1b

This property is already elevated from the surrounding existing single-family detached residential home sites. Arville Street is elevated above the eastern property line and the drainage requirements dictate the need for higher retaining walls and increased finished grades. The proposed retaining wall along the east side of the property and specifically adjacent to Lot 3 will be up to a maximum of 5.5 feet in height. The adjacent single-family development has a 5 foot wide drainage easement with a concrete pan and existing 6 foot high screen wall. The proposed 5.5 foot high retaining wall and 6 foot high screen wall will be the maximum height at Lot 3 and vary in height towards Pyle Avenue. The 5 foot drainage area provides an additional separation from the existing adjacent homes along the east side of the property.

The retaining wall along the north property line will be 4.5 feet in height with a 6 foot high screen wall on top where there is an existing retaining wall with a 6 foot high screen wall on top. The additional retaining wall increases the existing 2.5 foot retaining wall to 4.5 feet. The adjacent home to the north does have a row of trees that acts as a buffer. 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 other 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 applicant is installing full off-sites and all required landscaping along Pyle Avenue and Arville Street. Master Plan Policy 1.3.2 supports a mix of housing options within neighborhoods through a variety of unit sizes. Also, Master Plan Policy 1.3.1 encourages the integration of varied housing models to contribute to a distinct neighborhood identify. The 6 lots of this development and associated limited traffic will not create a detrimental condition to the surrounding area. The plans depict 6 architectural floor plans and elevations that meet design features required by Title 30. A variety of home sizes between 1,684 square feet and 2,605 square feet with a maximum height of 28 feet are consistent with new development in the area. Therefore, staff can support the design review.

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

#### **Waiver of Development Standards #2**

Staff cannot support the request to reduce the back of curb radius (BCR) for the spandrels along Arville Street since this is a self-imposed hardship that could be addressed with a site redesign. Arville Street and Pyle Avenue are collector roads which accommodate a high volume of traffic; therefore, compliance with the standard is of utmost importance. This will ensure that those wishing to gain access to the driveways can do so safely.

### **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**

Approval of waiver of development standards #1 and the design review; denial of waiver of development standards #2.

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;
- Full off-site improvements;
- Lot 6 to have a maximum driveway width of 12 feet;
- Right-of-way dedication to include 35 feet to the back of curb for Pyle Avenue, 35 feet to the back of curb for Arville Street, and associated spandrel;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- The installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

#### **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](mailto: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.

#### **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 #0054-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** UMER MALIK

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