

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0024-WIGWAM AND EASTERN, LLC:

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

DESIGN REVIEWS for the following: **1)** proposed single-family residential development; and **2)** allow alternative yards on 1.13 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located north of Wigwam Avenue and west of Eastern Avenue within Paradise. MN/md/kh (For possible action)

RELATED INFORMATION:

APN:

177-14-602-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the side interior setback for Lot 4 to 4 feet where a minimum setback of 5 feet is required per Section 30.02.06B (a 20% reduction).
- b. Reduce the rear setback for Lot 3 to 15 feet where a minimum setback of 20 feet is required per Section 30.02.06B (a 25% reduction).
2. a. Increase the height of the retaining wall along the north property line to 6 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 100% increase).
- b. Increase the height of the retaining wall along the east property line to 6 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 100% increase).
- c. Increase the height of the retaining wall along the west property line to 5 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 66.7% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 2220 E. Wigwam Avenue
- Site Acreage: 1.13
- Project Type: Single-family residential development
- Number of Lots: 5
- Density (du/ac): 4.42
- Minimum/Maximum Lot Size (square feet): 5,497/9,563
- Number of Stories: 1 to 2 stories

- Building Height (feet): Up to 20 (1 story)/26.5 (2 story)
- Square Feet: Up to 3,028 (1 story)/Up to 2,340 (2 story)

Site Plan

Access to the proposed development is granted via a proposed north/south public street, measuring 48 feet in width, that connects to Wigwam Avenue. A 5 foot wide attached sidewalk is proposed along the north/south public street, terminating in a cul-de-sac bulb. A 5 foot wide detached sidewalk is proposed along Wigwam Avenue. A waiver of development standards is requested to reduce the rear and side interior setbacks for Lot 3 and Lot 4, to 15 feet and 4 feet, respectively, in addition to allowing alternative yards for Lot 1. Alternative yards are proposed for Lot 1 that will maintain the following setbacks: 1) front and garage (typical side) - 20 feet from the north property line; 2) rear (typical side street) - 20 feet from the south property line along Wigwam Avenue; 3) side street (typical front) - 10 feet from the west property line adjacent to the north/south public street; and 4) side interior (typical rear) - 5 feet from the east property line. A waiver of development standards is requested to increase the retaining wall height up to 6 feet along the north and east property lines of the development, and up to 5 feet along the west property line.

Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side of the detached sidewalk, located along Wigwam Avenue. Trees, shrubs, and groundcover are planted within the street landscape area.

Elevations

The plans depict 1 to 2 story model homes with a maximum height ranging between 18 feet to 26.5 feet. The proposed models consist of a pitched, concrete tile roof featuring stucco siding, decorative foam for trim, and accents.

Floor Plans

The single-story models measure between 2,593 square feet to 3,028 square feet and feature a dining room, multiple bedrooms, kitchen, den, and bathrooms. The 2 story models measure between 2,090 square feet to 2,340 square feet and include a great room, dining room, kitchen, loft, multiple bedrooms, and bathrooms. All models include a 2 car garage.

Applicant's Justification

The proposed rear setback reduction for Lot 3 remains functional and maintains adequate separation between structures while accommodating the overall site design. Additionally, the adjacent properties are not negatively affected, as the reduced rear setback does not introduce privacy concerns, and does not create noise or light impacts. The waiver request allows for efficient site design while still preserving the character and integrity of the surrounding area. The minor reduction to the side interior setback for Lot 4 is minimal in nature. The side interior waiver request will ensure that the house fits properly within the lot boundaries while still meeting the design intent. The increase in retaining wall height is necessary so that the site maintains adequate drainage. Alternative yards are requested for Lot 1 due to the configuration of the lot.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-22-400080 (WS-19-0696)	First extension of time for a proposed place of worship - expired	Approved by BCC	August 2022
ET-22-400081 (WS-20-0176)	Waiver of development standards for a place of worship - expired	Approved by BCC	August 2022
VS-21-0273	Vacated and abandoned a portion of Wigwam Avenue to accommodate detached sidewalks	Approved by PC	July 2021
WS-20-0176	Place of worship with waivers	Approved by BCC	June 2020
UC-19-0696	Place of worship	Approved by PC	October 2019
ZC-0354-03	Reclassified the project site from R-E to C-P zoning for an office complex	Denied by BCC	May 2003

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
West	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential

Related Applications

Application Number	Request
ZC-26-0022	A zone change to reclassify the site from RS20 to RS5.2 is a companion item on this agenda.
TM-26-500003	A tentative map for a 5 lot single-family residential subdivision is a companion item on this agenda.
VS-26-0023	A vacation and abandonment of easements 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

The intent of building setbacks is to prevent the massing of buildings, provide an adequate buffer between structures, maintain a uniform development pattern, and minimize impacts to neighboring properties. Staff finds the request to reduce setbacks is inconsistent and incompatible with the adjacent single-family residential development, and may potentially impact the adjacent properties. The request to reduce the side interior and rear setbacks is a self-imposed burden; therefore, staff recommends denial.

Waiver of Development Standards #2

The purpose of reviewing increased retaining wall height and fill is to ensure there are no negative impacts to the surrounding properties. Although the applicant indicates the increase in retaining wall height is a result of these drainage and sewer design considerations, there are alternatives that could be provided to lessen the impact of the proposal, such as stepping the retaining walls. The request may potentially impact the adjacent properties. Therefore, staff recommends denial.

Design Reviews

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.

Design Review #1

Staff finds the proposed single-family residential development is functional and has compatible density with the surrounding residential development. This request complies with Policy 1.4.4 of the Master Plan which encourages in-fill development in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. However, since staff is not supporting the waivers of development standards requests associated with this development, staff recommends denial of the design review.

Design Review #2

Staff finds the alternative yards requested for Lot 1, located at the southeast corner of the site, should not impact the existing single-family residence to the east. The house orientation proposed for Lot 1 will mimic the site layout for the house on Lot 2. The alternative yard

configuration is necessary due to the rectangular configuration of the lot, in addition to the front of the residence facing towards the north (interior) property line of the development. However, since staff is not supporting the associated waivers of development standards and the design review, staff recommends denial of this request.

Staff Recommendation

Denial.

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;
- Full off-site improvements.

Fire Prevention Bureau

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and that fire protection may be required and to contact Fire Prevention for further information at (702) 455-7316.

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 #0169-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Paradise - denial.

APPROVALS:

PROTESTS:

APPLICANT: A DEVCO

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