

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0355-ROOHANI KHUSROW FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase retaining wall height; **2)** reduce setbacks; and **3)** eliminate street landscaping.

DESIGN REVIEW for a single-family residential attached development on 6.54 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located on the east side of Giles Street and the north and south sides of Pyle Avenue within Enterprise. MN/rg/syp (For possible action)

RELATED INFORMATION:

APN:

177-28-201-017 through 177-28-201-019; 177-28-301-004; 177-28-301-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of a retaining wall to 5 feet where a maximum height of 3 feet is permitted per Section 30.04.03C (a 67% increase).
2. Reduce the front setback to 6.5 feet where a minimum of 20 feet is required per Section 30.02.25D (a 67% reduction).
3. Eliminate a portion of street landscaping along Pyle Avenue and Haven Street where 1 large tree and 3 shrubs are required every 30 linear feet of street frontage per Section 30.04.01D.

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 71, 80, 81, & 90 E. Pyle Avenue
- Site Acreage: 6.54
- Project Type: Single-family attached residential
- Number of Lots: 64
- Density (du/ac): 9.79
- Minimum/Maximum Lot Size (square feet): 1,983/4,645
- Number of Stories: 2
- Building Height (feet): 27
- Square Feet: 1,378 to 1,500
- Open Space Required/Provided: 7,860/12,800

Site Plan

The plan depicts a proposed subdivision that is divided into 2 parts by Pyle Avenue. There are 42 lots shown for the project on the north side of Pyle Avenue (north project) and 22 lots are shown for the project on the south side of Pyle Avenue (south project).

The access to the north project is from a private east/west street, Avenue A, via Haven Street, with north/south private streets, Street A and Street B, terminating as stub streets. Four lots will take direct access from Haven Street. A 4 foot wide attached sidewalk is located along the south side of Avenue A, the east side of Street A, and on the west side of Street B, with detached sidewalks provided on the public streets, Pyle Avenue, Haven Street, and Giles Street.

The access to the southern project is from a private north/south street, Street C, via Pyle Avenue. Both Street C and Avenue B terminate in cul-de-sacs. A 4-foot-wide sidewalk is provided on the south side of Avenue B and on the west side of Street C, except sidewalks are not provided around the cul-de-sacs. A 5-foot-wide detached sidewalk is shown on Pyle Avenue.

Landscaping

A 15 foot wide landscape area, including a 5 foot wide detached sidewalk, is provided along Giles Street, Pyle Avenue, and a portion of Haven Street. The street landscape area consists of medium trees, shrubs, and groundcover. The applicant is requesting an alternative landscape plan consisting of medium trees and shrubs provided for every 20 linear feet of street frontage (Giles Street, Pyle Avenue and Haven Street) where 1 large tree and 3 shrubs are required every 30 linear feet of street frontage. A waiver of development standards is requested to eliminate a 30 foot long portion of the required street landscaping along Pyle Avenue due to proposed easements and a 150 foot long portion of the required street landscaping along Haven Street due to Lots 39 to 42 fronting the street.

Elevations

The plans depict two, 2 story attached dwellings, each with 4 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 roof lines, garage door pattern variety, window casings, lap siding elements and other architectural features including an optional patio cover. All garages are front loaded access and face private and public streets. The front setback waiver request is to allow the entire second floor of each dwelling to project into the required 10 foot front setback. A portion of the encroachment is for additional living space, while other portions are for architectural elements and roof eaves.

Floor Plans

The plans depict attached 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 attached dwellings from 1,378 square feet to 1,500 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. Retaining walls up to 5 feet are needed to allow the project to meet minimum interior street slopes and maintain drainage

patterns. The increased heights will fluctuate from a screen wall with no retaining wall to a screen wall with 5 feet of retaining wall around the perimeter of the site as needed. Due to the unique shape of the proposed project site. The proposed single-family attached dwellings feature a second floor extending into the required setback, thus reducing the front setback to 6.5 feet. A design feature to the dwelling to provide more living space. A 30 foot wide driveway for private drainage and utility access easement is located between Street A and along Pyle Avenue. No street landscaping provided fronting Lots 39 to 42, where accessed via Haven Street. The applicant is requesting for an alternate landscaping standards to allow for medium trees to be provided for every 20 linear feet of street frontage.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-----------------------------|---|-----------------|-------------|
| ADET-24-500068 (VS-22-0322) | Administrative extension of time for a vacation and abandonment for patent easements and portions of right-of-way | Approved by ZA | April 2024 |
| ZC-22-0321 | Reclassified 6.5 acres from H-1 and R-E zoning to R-3 zoning; associated waivers of development standards and design reviews for a single-family residential subdivision were withdrawn | Approved by BCC | July 2022 |
| VS-22-0322 | Vacated and abandoned for patent easements and portions of right-of-way | Approved by BCC | July 2022 |
| ZC-0789-06 | Reclassified 2.5 acres (APN 177-28-201-018 and 177-28-201-019) from R-E to H-1 zoning and a design review for a hotel - expired | Approved by BCC | August 2006 |
| ZC-0935-05 | Reclassified 17.4 acres (APN 177-28-301-003, 177-28-301-004, 177-28-301-009, 177-28-301-014, 177-28-301-017, and 177-28-301-021) from R-E to H-1 zoning and a design review for a hotel – design review expired | Approved by BCC | June 2005 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|--------------|---|----------------------------------|-----------------------------|
| North | Entertainment Mixed-Use | CR & RS20 | Undeveloped & flood channel |
| South & West | Entertainment Mixed-Use | CR | Multi-family residential |
| East | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) & Entertainment Mixed-Use | RS3.3 & RS20 | Single-family residential |

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

Related Applications

| Application Number | Request |
|--------------------|--|
| VS-24-0356 | A vacation and abandonment for patent easements and portions of right-of-way is a companion item on this agenda. |
| TM-24-500068 | A tentative map for a 64 lot single-family attached 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

In accordance with Title 30, only tiered retaining walls may be used with a landscaped 3 foot horizontal offset provided between each 3 feet of vertical height. Tiered walls could be provided in the backyard area or the side of the lots adjacent the northern boundary. This request is a self-imposed hardship that can be rectified with a redesign of the subdivision. The proposed retaining wall height does not meet the intent of Master Plan Policy EN-1.1 Neighborhood Integrity related to contiguous and uniform neighborhood development. Therefore, staff cannot support this waiver.

Waiver of Development Standards #2

The site plan, elevations and floor plans depict the second floor penetrating under the threshold of the 10 foot setback area with eaves of 6.5 feet from the property line. Staff finds that there is no justification to reduce the front setback. Therefore, staff cannot support this waiver.

Waiver of Development Standards #3

With the driveways impacting the area in front of Lots 39 through 43, there is limited space for shrubs and trees. The proposed 5 foot wide detached sidewalk will continue through these lots. Staff finds this request should have minimal to no impact on the surrounding land uses and properties. However, since staff is not supporting the other waivers of development standards and design review, staff recommends denial of 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 development is divided into 2 parts by Pyle Avenue. Therefore, the layout and internal street network of the proposed subdivision is functional. A minimum of 2 architectural features are included on each façade of the single-family residences that include varying rooflines, varying building materials, and optional patios and balconies on the rear elevations. However, since staff is not supporting the waivers of development standards, 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:

- 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; 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;
- Full off-site improvements;
- 30 days to coordinate with Public Works - Design Division and to dedicate any necessary right-of-way and easements for the Pyle Avenue improvement project.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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 and reference POC Tracking #0321-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - approval of waivers of development standards #2 and #3 and design review; denial of waiver of development standards #1.

APPROVALS:

PROTESTS:

APPLICANT: RICHMOND AMERICAN HOMES

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE, SUITE 100, LAS VEGAS, NV 89118