

03/18/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0106-TSANG JOYCE & GRACE:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** increase retaining wall height; **3)** allow attached sidewalks; and **4)** modified driveway design standards.

**DESIGN REVIEW** for a proposed single-family residential subdivision on 2.04 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the east side of Torrey Pines Drive and the north side of Levi Avenue within Enterprise. JJ/hw/kh (For possible action)

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RELATED INFORMATION:

**APN:**

176-35-501-009

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along Levi Avenue where large trees every 30 feet on center are required per Section 30.04.01D (a 100% reduction).
2. Increase the height of the retaining wall along the northern property line to 4 feet where 3 feet is the maximum per Section 30.04.03C (a 33% increase).
3. Allow attached sidewalks along Levi Avenue where detached sidewalks are required per Section 30.04.08C.
4. Reduce the separation between a residential driveway and the back of a curb return to 9 feet where 12 feet is the standards per Uniform Standard Drawing 222 and Section 30.04.08C (a 25% reduction).

**PROPOSED LAND USE PLAN:**

ENTERPRISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 6460 W. Levi Avenue
- Site Acreage: 2.04
- Project Type: Single-family detached residential
- Number of Lots: 20
- Density (du/ac): 9.8
- Minimum/Maximum Lot Size (square feet): 3,300/5,489
- Number of Stories: 2
- Building Height (feet): 26

- Square Feet: 1,719 (minimum)/1,837 (maximum)

### Site Plans

The plans show an existing single-family residence located on the subject site located at the northeast corner of Torrey Pines Drive and Levi Avenue. The plans show the existing residence will be demolished to develop of a 15 lot single-family detached residential subdivision. The plans show the overall site is 2.04 acres with a density of 9.8 dwelling units per acre. The lots range in size from 3,300 square feet up to 5,489 square feet. The northern 14 lots within the subdivision will have access through a 47 foot wide private street that will take access from Torrey Pine Drive, while the southern 6 lots will directly front and access Levi Avenue. The plans show the private street will run east to west and extend the length of the subdivision. The plans also show there will be 5 foot attached sidewalks on each side of the private street and the private street will terminate at a hammerhead. Five foot wide detached sidewalks are provided along Torrey Pines Drive with 5 foot wide attached sidewalks provided along Levi Avenue. The provided cross sections indicate a 4 foot tall retaining wall is proposed along the north property line. The reduced distance between the back of curb return and the driveway is for Lots 1 & 14, adjacent to Torrey Pines Drive and the intersection of the private street.

### Landscaping

The landscape plan depicts the only street landscaping will be along Torrey Pines Drive. Landscaping along Torrey Pines Drive consists of a 5 foot wide landscape strip along the street, followed by a 5 foot wide detached sidewalk, and then followed by another 5 foot wide landscape strip. The plans show the landscape strips will contain Willow Acacia (*Acacia salicina*), medium trees as defined by Title 30, placed on the backside of the sidewalk with a tree every 30 feet on center. Overall, a total of 8 medium trees are provided along Torrey Pines Drive, where 6 medium trees are required. Additionally, along Levi Avenue a total of 6 large trees are required where no trees have been provided.

### Elevations

The elevations show 2 different floor plan models with 6 different possible exterior designs for the homes. Each exterior corresponds with either a Mediterranean, Spanish Colonial, or Craftsman style. All models are 2 stories tall and will have maximum height of 25.4 feet. The exteriors will feature 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 also shown.

### Floor Plans

The models range in size from 1,719 square feet up to 1,837 square feet including 2 car garage, porch, and optional spaces, spread across 2 stories. Each model has 3 bedrooms with options that include walk-in closets, ensuite bathrooms, large living and dining spaces, game rooms, additional bedrooms, and gourmet kitchens.

### Applicant's Justification

The applicant states the property is surrounded by similar RS3.3 subdivisions on all sides. The applicant further states the subdivision is designed with lots siding to Torrey Pines Drive and

there are 6 lots that front to Levi Avenue. A common element separates the lots along Torrey Pines Drive from the street. The applicant indicates the minimum lot size required is 3,300 square feet and the minimum in this subdivision is 3,300 square feet. The applicant further indicates there are three models with 2 separate elevations per house, for a total of 6 house types. Finally, the applicant indicates the waiver for the reduced distance between the driveway and back of curb return is needed due to the size of the overall site and to allow a 2 car driveway. The driveway is located as far east as possible. The applicant also states the need for a taller retaining wall is due to drainage needs on the site.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
VS-0532-17	Vacated and abandoned government patent easements on the eastern portion of the site - recorded	Approved by PC	August 2017

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North, East & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Compact Neighborhood (up to 18 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>
PA-25-700007	A plan amendment to redesignate the site from Mid-Intensity Suburban Neighborhood (MN) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0104	A zone change to reclassify the site from RS20 to RS3.3 is a companion item on this agenda.
VS-25-0105	A vacation and abandonment for a portion of right-of-way being Torrey Pines Drive is a companion item on this agenda.
TM-25-500024	A tentative map for 20 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.

#### Waiver of Development Standards #1

Staff finds the purpose of providing street landscaping is to provide necessary shading for nearby street and sidewalk infrastructure. Title 30 allows for alternatives that would make planting trees and landscaping along Levi Avenue possible, and these constraints do not prohibit the planting of trees on the backside of the sidewalk. The applicant has not provided a justification for not providing trees and there does not appear to be physical hardship on the site preventing the use of large trees either. Street trees are beneficial for the reduction of future heat caused by an increase in pavement and several subdivisions in the surrounding area have street landscaping or were approved with landscaping in the front yards of subdivision lots along Levi Avenue. For these reasons, cannot support this request.

#### Waiver of Development Standards #2

The purpose of reviewing increased retaining wall height and fill is to assure that there are no negative impacts on the surrounding properties. Staff finds that the proposed fill and retaining walls are the result of necessary modifications to the site due to the drainage needs of the proposed subdivision. With that said, while staff does appreciate the increase in retaining wall height are the result of these drainage considerations, there are several alternatives that are provided within Title 30 that can be utilized to either minimize or completely remove this waiver. Staff finds more could be done to redesign the affected portion of the site to reduce the overall fill and height of the retaining walls. For these reasons, staff cannot 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 homes use materials and colors typical of the southwestern United States. The site is well parked with 4 spaces provided for each lot. With that said, while the proposed single-family subdivision is proposing different housing options with different architectural styles and house sizes, when compared to the number of lots within the subdivision, would not be enough options to prevent a repetitive streetscape. Staff is also concerned the increase in retaining wall height could lead to negative impacts on surrounding properties. Additionally, the lack of landscaping along Levi Avenue is not thoroughly justified and would negatively impact the surrounding area. Staff finds the design of the proposed subdivision does not support Master Plan Policies 1.3.1, 1.3.2, and 3.6.1, which promote the development of homes with a variety of architectural styles and home sizes, and which promote the use of landscaping to reduce the heat island effect. For these reasons, staff is unable to support this request.

## **Public Works - Development Review**

### Waiver of Development Standards #3

Staff cannot support the request to not install detached sidewalks on Levi Avenue. 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.

### Waiver of Development Standards #4

Staff cannot support the request to reduce the distance from the back of curb radius (BCR) to the driveway for Lots 1 and 14 since the lots are adjacent to Torrey Pines Drive. With the increase in traffic along Torrey Pines, compliance with the standard is of utmost importance to ensure that those wishing to gain access to the driveways can do so safely.

## **Staff Recommendation**

Denial. This item will be forwarded to the Board of County Commissioners' meeting for final action on April 16, 2025 at 9:00 a.m., unless otherwise announced.

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, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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 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;
- Full off-site improvements;

- 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 devices.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**Southern Nevada Health District (SNHD) - Engineering**

- Applicant is advised that there is an active septic permit on APN 176-35-501-009; 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 #0060-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** KAEMPFER CROWELL

**CONTACT:** KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE #650, LAS VEGAS, NV 89135