

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0216-GRAND CANYON, LLC & NAHAI AMIN & ILIEN LIVING TRUST:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate street landscaping; **2)** increase retaining wall height; **3)** modify residential adjacency standards; **4)** allow new attached sidewalks; and **5)** reduce the street intersection off-set.

**DESIGN REVIEW** for a proposed single-family residential development on 15.0 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the south side of Pebble Road and the west side of Grand Canyon Drive within Enterprise. JJ/rr/cv (For possible action)

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RELATED INFORMATION:

**APN:**

176-19-101-006; 176-19-101-020; 176-19-101-025 through 176-19-101-028

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along a portion of Raven Avenue where 10 feet of landscaping is required when an attached sidewalk is proposed per Section 30.04.01D (a 100% reduction).
2. Increase the height of a proposed retaining wall along the western property line to 7 feet where 3 feet is the maximum height allowed per Section 30.04.03C (a 133.3% increase).
3.
  - a. Increase fill height to 7 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 133.3% increase).
  - b. Increase fill height to 7 feet where a maximum of 6 feet is allowed to be placed within 20 feet of a shared residential property line per Section 30.04.06F (a 16.7% increase).
  - c. Allow lots smaller than 10,000 square feet abutting an NPO-RNP boundary per Section 30.04.06G.
  - d. Waive requirement to comply with the rear RS20 zoning district setbacks of the adjacent NPO-RNP lots along shared lot lines per Section 30.04.06G.
4. Allow new attached sidewalks along Raven Avenue where detached sidewalks are required per Section 30.04.08C.
5. Reduce the street intersection off-set between Street A and Conquistador Street to 55 feet where a minimum of 125 feet is required per Section 30.04.08F (a 56% reduction).

**LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 15.0
- Project Type: Proposed single-family residential development.
- Number of Lots: 115
- Density (du/ac): 7.6
- Minimum/Maximum Lot Size (square feet): 3,400/8,643
- Number of Stories: 2
- Building Height (feet): 31
- Square Feet: 2,494 (minimum) to 4,684 (maximum)

#### Site Plans

The plans show a proposed 115 lot single-family detached residential development. The overall site is 15 acres with a density of 7.6 dwelling units per acre. The lots range in size from 3,400 square feet up to 8,643 square feet. Subdivision access for 90 lots is from five, 38 foot wide private streets. Two streets, A Street and C Street, connect directly to Pebble Road to the north and Raven Avenue to the south. B, D, and E Streets provide internal access through the subdivision. Raven Avenue, a 48 foot wide public residential local street, provides direct access to 25 lots along the north side of this street. Detached sidewalks are provided along Pebble Road and Grand Canyon Drive. Raven Avenue is proposed to have a 5 foot wide attached sidewalk which is the subject of a waiver request. Lots 53 through 65 are located within the east portion of the development and front onto C Street, these lots are proposed to be larger than 7,500 square feet, while the other lots are between 3,400 and 4,350 square feet. The subdivision includes 13 common elements which are located along Pebble Road and Grand Canyon Drive as well as other locations including between the interior private streets and the side and rear yards of the adjacent lots.

#### Landscaping

The plan depicts street landscaping along Pebble Road and Grand Canyon Drive. The street landscaping consists of two, 5 foot wide landscape strips on each side of a 5 foot wide detached sidewalk. The plans indicate that the landscape strips will contain Southern Live Oak trees which are large trees as defined by Title 30. The trees are proposed to be planted in staggered rows on each side of the sidewalks 30 feet on center. Along Raven Avenue, street landscaping including trees is in Common Element A, adjacent to Lot 1, and in Common Element M, adjacent to Lot 65. Street landscaping is otherwise not provided along the Raven Avenue frontage adjacent to Lots 91 through 115, which is the subject of a waiver request. Within the interior of the subdivision are 6 common elements adjacent to the interior streets which are proposed to include Southern Live Oak trees.

#### Elevations

The elevations indicate that for the lots over 7,500 square feet (Lots 53 through 65), 4 different floor plan models with 3 different possible exterior designs for the homes. Each exterior corresponds with either a Spanish Colonial, Modern Craftsman, or Modern Farmhouse style. All models are 2 stories and will have a maximum height of 31 feet. The exteriors will feature

painted stucco, gabled and split pitch roofs with variations in roofline, concrete tile, window accents, building pop-outs, covered entry porch, stone or brick veneer, and horizontal siding.

The elevations for the smaller lots (Lots 1 through 52 and Lots 66 through 115) indicate 3 floor plans with 3 different possible exterior designs for the homes. Each exterior corresponds with either a Spanish, Mid-Century, or Modern Prairie style. All models are 2 stories and will have a maximum height of 26 feet. The exteriors will feature painted stucco, gabled, and split pitch roofs with variations in roofline, concrete tile, building pop-outs, and covered entries.

#### Floor Plans

The models on the lots over 7,500 square feet range in size from 3,448 square feet up to 4,648 square feet. This includes a 2 car garage for 3 models and a 3 car garage for 1 model, a covered front porch, and a covered patio. Each model has a great room, kitchen, casual dining, and either a flex room or bedroom on the 1<sup>st</sup> floor. On the second floor each model has 3 to 4 bedrooms, a loft, laundry, large bathrooms and walk-in closets.

The models on the smaller lots range in size from 2,494 square feet up to 2,857 square feet. This includes a 2 car garage, covered entry, and covered patio. Each model has a great room, kitchen, casual dining, and a bedroom on the 1<sup>st</sup> floor. On the second floor each model has 4 bedrooms, a loft, laundry, a large master bathroom and walk-in closet.

#### Applicant's Justification

The applicant states that a condition was imposed by the Board of County Commissioners during the non-conforming zone change in November 2022. The condition was that the lots fronting on Street "F" as shown on the revised plan shall be no less than 7,500 square feet (Lots 46 through 51 and Lots 1 through 10). Street F is now called Street C with the equivalent lots being Lots 52 through 65. Raven Street was also approved to include a dedication of 23.5 feet. There are 4 entrances into the development with grid streets.

Plans have been submitted for both the larger 7,500 square foot lots as well as the smaller lots. The houses to the north of the subject site are 1 story, while the development to the south consists of 2 story homes. The subject property is significantly lower than the existing homes to the north, so the impact of the houses will be minimal. The fill and retaining wall increase is because the property falls 34 feet in elevation from north to south. The original zoning approval mandated where the larger lots would be located, and this design is being maintained rather than provide 10,000 square foot lots. The proposed lots are lower than the adjacent RNP lots so that an increased rear yard would have minimal effect on the adjacent homes. To the west where the property is undeveloped, any future development will be aware of the design of the houses built next to the site. The developer is providing more street trees along private streets than is required along the frontage on Raven Avenue, and the original zone change showed an attached sidewalk.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
NZC-22-0305	Reclassified site from R-E (RNP-I) and H-2 to R-2 zoning; waiver to reduce street width, and design review for single family residential development	Approved by BCC	November 2022
ZC-1026-05	Established the RNP-I overlay in Enterprise	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North & West	Ranch Estate Neighborhood (up to 2 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20 (NPO-RNP) & RS3.3	Single-family residential & undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential development
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS5.2 & RS20 (NPO-RNP)	Single-family residential development & undeveloped parcels (recently approved RS10 single-family residential development)

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

**Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-25-700016	A plan amendment to redesignate the existing land use category from Low-Intensity Suburban Neighborhood (LN) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-25-0215	A zone change to reclassify the site from RS20 and H-2 to RS3.3 and remove the Neighborhood Protection (RNP) Overlay is a companion item on this agenda.
VS-25-0217	A vacation and abandonment of easements is a companion item on this agenda.
TM-25-500054	A tentative map for a 115 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

Street landscaping consisting of a minimum 10 foot wide strip with large trees planted in a staggered line every 30 feet is required along the frontage of Raven Avenue in the front yards of Lots 91 through 115. Based on a total street frontage of 1,002 feet an equivalent canopy of up to 34 large trees would be required. The actual number of required trees will be less once the driveway widths are factored in. The plan indicates additional landscaping consisting of 36 Southern Live Oak trees and shrubs within 6 common elements located along portions of the private streets in the interior portions of the proposed subdivision. The proposed plan provides large trees along private streets in the interior of the subdivision which will exceed the large tree canopies that are required along Raven Avenue. The large tree locations should provide beneficial heat reduction within various pavement areas of the adjacent private streets. Therefore, staff can support this request.

#### Waivers of Development Standards #2, #3a, & #3b

The purpose of reviewing increased retaining wall height and fill is to assure that there are no negative impacts on surrounding properties or adjacent streets. Staff finds that the proposed increased fill along the west property boundary is needed to promote adequate drainage of the lots. Title 30 provides several alternatives such as tiering the retaining walls that could be utilized to minimize or completely remove these waivers. In this case, the southern portion of the area to the west is a 33 foot wide common element. Therefore, the placement of 7 foot tall retaining wall with a 6 foot block wall on top along this portion of the western subdivision boundary would not directly impact any existing residential lots. Further north, the retaining wall and increased fill would impact only a single undeveloped NPO-RNP lot to the west. The developed NPO-RNP lots to the north are higher than the subject site and would not be impacted by the fill or any increased retaining wall height. Therefore, staff can support these requests.

#### Waiver of Development Standard #3c

The original non-conforming zone change (NZC-22-0305) provided a condition to increase the lot sizes to 7,500 square feet for the area of what is now Lots 52 through 65 on the proposed plan. Lots 53-65 are greater than 7,500 square feet, however, Lot 52 is 6,261 square feet. Staff could support a plan that followed the conditions of NZC-22-0305 with Lots 52 through 56 readjusted to a minimum of 7,500 square feet instead of requiring 10,000 square foot lots. However, because Lot 52 is less than 7,500 square feet, staff cannot support this request.

#### Waiver of Development Standard #3d

The intent of the residential adjacency standards is to promote compatible transitions between land uses area of differing intensities. The code requires the rear setbacks for Lots 7 through 14, Lots 26 through 30, Lots 32 through 49, and Lots 52 through 56 abutting the RNP-NPO property boundaries to match the applicable 10 foot interior side and 30 foot RS20 rear setbacks. In this case, the rear yards of Lots 7 through 14, Lots 26 through 30 and Lots 52 through 56 will abut the side yards of three RS20 zoned parcels. This means that the required 15 foot rear yard for the primary structures on the proposed lots will still exceed the required 10 foot side interior yard of the adjoining RS20 properties. Additionally, Lots 32 through 49 will be lower than the 2 parcels to the north. Therefore, the rear yard setback impacts should be minimal. Given these circumstances, 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 plans for the proposed single-family subdivision show a variety of different design options by providing 6 floor plans with 3 design styles available for each plan. The different architectural styles and plans should help maintain an interesting streetscape. The 2 story homes are proposed to have an area consistent with the types of homes currently located within the adjacent RS3.3 areas to the south. However, the homes to the north in the RNP-NPO are single story. While the request complies with Policy 1.4.4 of the Master Plan which encourages infill development in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area, the specific design is denser than the previously approved plans. The overall density of the site is proposed to increase from 5.82 dwelling units per acre and 93 lots approved under NZC-22-0305 to 7.66 dwelling units per acre and 115 lots under this proposal. The number of lots directly abutting the RNP-NPO parcels to the north and west has increased from 25 lots to 36 lots. Also, along the west side of APN 176-19-101-004, a 43 foot wide street with a 10 foot wide landscape strip which provided buffering under the previously approved plan is no longer proposed. Finally, Lot 52 is less than 7,500 square feet in an area where future lots were conditioned under the previous zoning action to be at least 7,500 square feet. However, staff finds that the previously approved development via NZC-22-0305 included a 20 foot wide buffer south of the RS20 zoned parcels, and the lots adjacent to this buffer were larger. The previous design included a less dense layout especially when adjacent to the existing residences within the RS20 zoned lots. Since the applicant added an additional 21 lots, the proposed development is more dense than what was previously approved; therefore, staff cannot to support this request.

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

##### Waiver of Development Standards #4

Staff cannot support the request to not install detached sidewalks along Raven 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 #5

Staff has no objection to the request to reduce the street intersection offset between Street "A" and Conquistador Street. Common elements are provided, improving visibility and reducing conflicts while trying to enter the site.

### **Staff Recommendation**

Approval of waivers of development standards #1, #2, #3a, #3b, #3d and #5; denial of waivers of development standards #3c and #4, and the design review. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 4, 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:

- Expunge NZC-22-0305;
- 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;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet back of curb for Pebble Road, 35 feet back of curb for Grand Canyon Drive, 23.5 feet back of curb for Raven Avenue and associated spandrels;
- The installation of detached sidewalks will require the vacation of excess right-of-way, the dedication to the back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

#### **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 #0452-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TOLL BROTHERS SOUTH, LLC

**CONTACT:** LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,  
BUILDING 3 SUITE 577, LAS VEGAS, NV 89134