

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0766-CLARK PAT GST TRUST & CLARK PAT TRS:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate sidewalks and street landscaping; **2)** increase wall height; **3)** allow sole access from a collector street; **4)** reduce gate setback; and **5)** waive full off-site improvements.

DESIGN REVIEW for finished grade in conjunction with a proposed single family residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the east side of Torrey Pines Drive and the south side of Maggie Avenue within Lone Mountain. MK/lm/syp (For possible action)

RELATED INFORMATION:

APN:

125-11-505-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Eliminate the requirement for detached sidewalk and street landscaping adjacent to Torrey Pines Drive where detached sidewalks and landscaping are required per Figure 30.64-17 and Section 30.64.030.
- b. Eliminate the requirement for detached sidewalk and street landscaping adjacent to Maggie Avenue where detached sidewalks and landscaping are required per Figure 30.64-17 and Section 30.64.030.
2. a. Increase screen wall height to 8 feet along Torrey Pines Drive where 6 feet is permitted per Section 30.64.020 and Table 30.64-1 (a 33% increase).
- b. Increase screen wall height to 8 feet along Maggie Avenue where 6 feet is permitted per Section 30.64.020 and Table 30.64-1 (a 33% increase).
- c. Increase the combined retaining and screening wall to 14.5 (4.5 foot retaining and 10 foot screening) along the south and east property lines, where 9 feet (3 foot retaining and 6 foot screening) is the maximum permitted per Section 30.64.020 and Table 30.64-1 (a 61% increase).
3. Allow a single family residential lot to have direct access to a collector street (Torrey Pines Drive) where not permitted per Section 30.56.080.
4. Reduce gate setback to 13.5 feet on Torrey Pines Drive where 18 feet is required per Section 30.64.020.
5. a. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Torrey Pines Drive where required per Chapter 30.52.
- b. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Maggie Avenue where required per Chapter 30.52.

DESIGN REVIEW:

Increase finished grade height to 4.5 feet where 3 feet is the standard per 30.32.040 (a 50% increase).

LAND USE PLAN:

LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 2.1
- Project Type: 2 single family residences
- Number of Lots/Units: 2
- Density (du/ac): 1.07
- Lot Size (square feet): 66,131 (north)/27,023 (south)
- Square Feet: 10,571 (north)/11,959 (south)

Site Plan

The plan depicts 2 future lots for 2 future residences. The northerly lot will consist of 66,131 square feet with access to Maggie Avenue. The southerly lot will consist of 27,023 square feet with access to Torrey Pines Drive (MSM-23-600069).

Both proposed parcels will be enclosed by an 8 foot high block wall located a minimum of 5 feet from the right-of ways and set back 8 feet for the sight visibility zone at the intersection of Torrey Pines Drive and Maggie Avenue. The proposed northerly lot gated driveways are located 13.25 feet from Maggie Avenue. The proposed southerly lot gated driveways are located 13 feet from Torrey Pines Drive. A 10 foot high screen wall with up to 4.5 foot high retaining wall (14.5 foot overall height), is proposed along the east and south property lines. The parcel will have fill increase across the lot up to 4.5 feet.

Landscaping

No landscaping is proposed along Torrey Pines Drive and Maggie Avenue.

Floor Plans

The anticipated residences footprints are provided for site access purposes and have not yet been fully designed; however, the anticipated residence sizes are shown on the site plan. The northerly residence consists of 10,571 square feet with a 2,068 square foot detached pool house. The southerly residence consists of 11,959 square feet. Elevations were not provided with the site plan.

Applicant's Justification

The applicant indicates the site is being developed within an RNP-I overlay district and is requesting to maintain the rural character of the existing neighborhood to the north, east, and south where there are developed parcels. Existing off-site improvements consist of rural standard paving. A proposed 5 foot wide landscape buffer is provided to maintain the existing rural

character of the area. The proposed 8 foot high screen wall along the north and west property lines are requested to provide enhanced privacy and security for the property owner, while providing adequate gated access for the property owners. Additionally, the minimal gate setback reduction will not have an adverse impact on the safety or flow of traffic along Torrey Pines Drive. The increased site elevation and increased retaining wall heights are proposed to bring the proposed finished floor grades above the depth of flow in both adjacent streets. The applicant indicated that the properties to the south and east are currently developed with existing landscape buffers, and therefore, the expected impact on the surrounding properties is negligible. Additionally, the primary access to the lots has been designed to provide better drainage for the proposed lots.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified various parcels to (RNP-I) Overlay	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
West	City of Las Vegas	U(PROG)	Undeveloped

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 site is located within a Residential Neighborhood Preservation (RNP-I) overlay where rural street standards remain prevalent. Staff typically does not support reductions to street landscaping; however, the street landscaping is provided interior to the existing residential view fences. The view fences are constructed at back of the right-of-way along Torrey Pines Drive and Maggie Avenue to the south and east, respectively. While the applicant is proposing minimal

street landscaping, the requests are self-imposed hardship. However, staff does not support the remainder of the application and recommends denial of this request.

Waiver of Development Standards #2

The proposed increased screen walls are excessive for the rural character of the existing neighborhood where view fences are provided along the rural streets and overall fence heights are approximately 6 feet. The increase of the proposed 10 foot screen wall above the 4.5 foot retaining wall is excessive as the parcels to the south and west will be a minimum of 3 feet above the neighboring parcels to the east and south where there are existing trees. The burden of development is to provide the current standards determined for the community. While it may be reasonable to increase the site grade and provide retaining walls, staff is concerned with making a walled neighborhood, especially when the site is creating large parcels that are over the minimum lot area; therefore, staff is unable to support this request.

Waiver of Development Standards #3

Staff finds that the proposed sole access for Lot 2 is a self-imposed hardship. The lot layout could be adjusted to provide access to both parcels from Maggie Avenue as the grade height increase is already in excess of the existing neighboring properties. Therefore, staff recommends denial.

Waiver of Development Standards #4

The requested reduction to the gate setback is minimal for the southern parcel. Currently, it appears that Torrey Pines Drive terminates 660 feet to the north at Iron Mountain Road where a portion of the Tule Springs Fossil Beds National Monument is located. Additionally, the parcel to the west is undeveloped and not part of the National Monument yet located in the City of Las Vegas, which designates the parcel as undeveloped (parks/recreation/open space), and if developed, could create additional traffic on this portion of Torrey Pines Drive in the future. However, since staff is not supporting the application in its entirety, staff cannot support this request.

Public Works - Development Review

Waiver of Developments Standards #5

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Design Review

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since staff cannot support the application in its entirety, staff cannot support 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:

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; the County has adopted a rewrite to Title 30 effective January 1, 2024, and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and for any sanitary sewer needs, to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC: Lone Mountain - denial.

APPROVALS: 1 letter

PROTESTS: 4 cards, 7 letters

COUNTY COMMISSION ACTION: February 7, 2024 – HELD – To 02/21/24 – per the applicant.

COUNTY COMMISSION ACTION: February 21, 2024 – HELD – To 03/20/24 – per the applicant.

COUNTY COMMISSION ACTION: March 20, 2024 – HELD – To 05/22/24 – per the applicant.

COUNTY COMMISSION ACTION: May 22, 2024 – HELD – To 06/18/24 – per the applicant.

COUNTY COMMISSION ACTION: June 18, 2024 – HELD – To 07/03/24 – per the applicant.

APPLICANT: TANEY ENGINEERING

CONTACT: TANEY ENGINEERING INC., 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89147