

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

UPDATE
ELKHORN RD/RAINBOW BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0179-COUNTRY LIVING HOMES, LLC:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase wall height; **2)** off-site improvements (curb, gutter, sidewalk, streetlights, and partial pavement); **3)** non-standard improvements within the right-of-way; and **4)** street landscaping.

DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** finished grade on 4.1 acres in an R-E (Rural Estate Residential) (RNP-I) Zone.

Generally located on the north side of Elkhorn Road and the east side of Rainbow Boulevard within Lone Mountain. MK/sd/syp (For possible action)

RELATED INFORMATION:

APN:

125-14-404-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of a combination retaining/screen wall to a maximum of 10 feet (4 foot retaining wall with a 6 foot screen wall) where a maximum height of 9 feet (3 foot retaining wall with a 6 foot screen wall) is allowed per Section 30.64.050 (a 17% increase).
2.
 - a. Waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Rainbow Boulevard where required per Chapter 30.52.
 - b. Waive off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Elkhorn Road where required per Chapter 30.52.
3. Allow non-standard street improvements in the right-of-way (Rainbow Boulevard) where not allowed per Section 30.52.050.
4.
 - a. Allow alternative street landscaping without a sidewalk along Rainbow Boulevard where a detached sidewalk is required per Table 30.64-2 and Figure 30.64-17.
 - b. Allow alternative street landscaping without a sidewalk along Elkhorn Road where a detached sidewalk is required per Table 30.64-2 and Figure 30.64-17.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 60 inches (5 feet) where 36 inches (3 feet) is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:**Project Description****General Summary**

- Site Address: 7200 Elkhorn Road
- Site Acreage: 4.1
- Number of Lots/Units: 8
- Density (du/ac): 1.9
- Minimum/Maximum Lot Size (square feet): 20,003/24,397 (gross) 16,211/18,280 (net)
- Project Type: Single family residential

Site Plans

The plans depict a proposed 8 unit single family residential subdivision located at the northeast corner of Elkhorn Road and Rainbow Boulevard. The subject parcel is currently zoned R-E (Rural Estates Residential) and lies within the RNP-I (Rural Neighborhood Preservation) Overlay District, with a planned land use of Ranch Estate Neighborhood. Access is from Elkhorn Road by way of private streets. All lots will be accessed via a 40 foot private residential street, terminating in a cul-de-sac. A proposed increase in a block wall is requested for the northern property line as the increase in finished grade is necessary to match the existing grade of Elkhorn Road.

Landscaping

A 10 foot landscape buffer will be provided along Elkhorn Road and a 15 foot landscape buffer will be provided along Rainbow Boulevard. A 23 foot equestrian trail and 5 feet of landscaping shall be provided within the Rainbow Boulevard right-of-way to match the adjacent development.

Elevations & Floor Plan

The applicant states that these will be custom built homes and will provide elevations and floor plans at time of permitting.

Applicant's Justification

The applicant states this project is a 4.1 gross acre, 8 lot single family residential subdivision with 1.9 lots per acre located to the east of Rainbow Boulevard and north of Elkhorn Road. The subject parcel is currently zoned R-E (Rural Estates Residential) and lies within the RNP-I (Rural Neighborhood Preservation) Overlay District, with a planned land use of RN (Ranch Estate Neighborhood).

The applicant states the waivers requiring full off-site improvements and non-standard improvements along Rainbow Boulevard and Elkhorn Road are justified as this parcel lies within the RNP-I (Rural Neighborhood Preservation) Overlay District. Developments adjacent to the project site along Rainbow Boulevard will not complete full off-site improvements. The intent of the design for the site is to match existing adjacent developments and preserve the rural characteristic of the area.

The proposed increase in wall height is to allow for a total 10 foot high combination 6 foot screen wall and 4 foot maximum retaining wall along the north property line. The increase in height is necessary so that the site maintains adequate drainage while matching the existing grade of Elkhorn Road.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
West	City of Las Vegas	R-PD2	Single family residential

Related Applications

Application Number	Request
TM-23-500051	A tentative map for an 8 lot subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

The increased wall height is directly tied to the approval of a drainage plan and increased finished grade request. The increase in finished grade to maintain historic drainage patterns and meet Clark County drainage criteria necessitates an increase to the combined screen wall and retaining wall height. Staff finds the increased wall height should have minimal to no impact on the surrounding land uses; however, since staff does not support the design review, staff does not support this request.

Waiver of Development Standards #4

Staff typically does not support requests for alternative street landscaping, including waiving detached sidewalks. However, the request for landscaping along Rainbow Boulevard will allow the site to develop to rural street standards matching the existing developments within the area. However, since staff does not support the design review, staff does not support this request.

Design Review #1

The proposed subdivision design incorporates appropriate buffers and transitions in relation to the adjacent single family residences to the west and other similar developments in the immediate area. The layout of the proposed residential subdivision is typical for the area. However, this site is located within the A1 section shown in the Lone Mountain Interlocal Agreement Area, which recommends a minimum net lot size of 18,500 square feet. None of the proposed lots meet this minimum requirement. Staff does not support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff has no objection to the waiver to not install full off-site improvements on Rainbow Boulevard and Elkhorn Road, to be consistent with other recently approved applications in the area. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standards #3

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any equestrian trail, landscaping and paved roadway placed in the right-of-way. Staff can support Waiver of Development Standards #3 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Design Review #2

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 Planning is recommending denial of the application, staff cannot support this design.

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 that the County is currently rewriting Title 30 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; and that this application must commence within 4 years of approval date or it will expire.

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;
- Right-of-way dedication to include spandrel at the southwest corner of the site;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way;
- Coordinate with Antonio Papazian - Development Review Division for the design of the Rainbow Boulevard improvements;
- 30 days to coordinate with Public Works - Construction Division and to dedicate any necessary right-of-way and easements for the Elkhorn Road improvement project.
- 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 125-14-404-003; 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 CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that 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 card

PROTESTS: 2 cards, 1 letter

COUNTY COMMISSION ACTION: June 7, 2023 – HELD – To 06/21/23 – per the applicant.

APPLICANT: COUNTRY LIVING HOMES, LLC

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