

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-26-0085-ORVPP TRUST & KUMAR RASMI TRS:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** modified driveway geometrics; **2)** reduce street intersection offset; and **3)** allow attached sidewalks in conjunction with a proposed single-family attached residential development on 1.59 acres in an RM18 (Residential Multi-Family 18) Zone.

Generally located north of Owens Avenue and east of Betty Lane within Sunrise Manor.  
TS/bb/kh (For possible action)

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RELATED INFORMATION:

**APN:**

140-21-403-017

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the distance from the property line to a residential driveway to 1 foot where 6 feet is required per Uniform Standard Drawing 222 (an 83% reduction).
2.
  - a. Reduce the street intersection off-set separation distance from the west side of Owens Avenue to Birdstone Court (private street) to 82 feet where 125 feet is required per Section 30.04.08 F (a 34% reduction).
  - b. Reduce the street intersection off-set separation distance from the east side of Owens Avenue to Birdstone (private street) to 82 feet where 125 feet is required per Section 30.04.08 F (a 34% reduction).
3.
  - a. Allow an attached sidewalk along a portion of Owens Avenue where a detached sidewalk is required per Section 30.04.08C.
  - b. Allow an attached sidewalk along a portion of Sherwin Lane where a detached sidewalk is required per Section 30.04.08C.

**LAND USE PLAN:**

SUNRISE MANOR - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1.59
- Project Type: Single-family attached residential development (Townhomes)
- Number of Lots: 24

### Site Plan

The plan depicts a proposed 24 unit single-family attached townhome development located north of Owens Avenue between Betty Lane and Sherwin Lane. Access is shown via a 43 foot wide east-west private street with an attached 4 foot decorative paver sidewalk on the south side of the street. Individual driveways access each townhome with 18 foot driveways for the southern units and 4 foot driveways for the northern units. The proposed driveways are located approximately 1 foot from proposed property lines, where 6 feet is required and are the subject of a waiver request. The plan shows a private east-west street with a proposed street intersection off-set that is located approximately 82 feet north of Owens Avenue on the east and west ends of the property where 125 feet is required and is also the subject of waiver requests.

### Landscaping

The landscape plan depicts detached sidewalks along the center of the site along Owens Avenue and the northern portion along Sherwin Lane, with both partially attached sidewalks being the subject of waiver requests with this application. The remaining detached sidewalk is located along Betty Lane and does not include a partially attached sidewalk as defined by code and does not require a waiver request.

### Applicant's Justification

The applicant states that the distance between the proposed driveways of the 24 lot townhome subdivision and interior property lines is 1.5 feet where 6 feet is required. The wet and dry utilities for the townhome development are not the same as those related to a single-family detached development. Reduction of the driveway separation is a typical pattern with single-family attached homes. Birdstone Court will be shifted approximately 2.9 feet north of its existing intersection with Betty Lane on the west side of the property. The right-of-way offset waivers between Owens Avenue and the private street (Birdstone Court) will include sight visibility easements that maintain clear lines of sight for drivers and are the subject of a waiver requests. A portion of each sidewalk along Owens Avenue and Sherwin Lane will remain attached with those detached areas design to navigate around existing power poles. Both Owens Avenue and Sherwin Lane have attached portions of sidewalk that are the subject of the waiver requests.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-18-0699	Zone change to R-3 zoning for a multi-family residential development consisting of 28 units	Denied by BCC	October 2018

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Single-family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS10	Single-family residential

### Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
South	Ranch Estates Neighborhood (up to 2 du/ac)	RS20	Place of worship & single-family residential
West	Compact Neighborhood (up to 18 du/ac)	RS3.3	Single-family residential

### Related Applications

Application Number	Request
TM-26-500024	A tentative map for 24 single-family residential lots is a companion item on this agenda.
ZC-26-0084	A zone change from RS20 to RM18 is a companion item on this agenda.
VS-26-0090	A vacation and abandonment for a portion of right-of-way is a companion item on this agenda.
PUD-26-0089	A planned unit development for a single-family attached townhome development 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.

#### Public Works - Development Review

##### Waiver of Development Standards #1

Staff cannot support the request to reduce the distance from the driveway to the property line. The minimum required distance is intended to provide a safe transition from the property to right-of-way, reducing the chance for accidents.

##### Waiver of Development Standards #2

Staff cannot support the request to reduce the street intersection off-sets on the west and east sides of Birdstone Court, as the reduction will cause left turn conflicts, creating a potential for collisions.

### Waiver of Development Standards #3

Staff cannot support the request to allow an attached sidewalk in place of a detached sidewalk along portions of Owens Avenue and Sherwin Lane. The site is new construction; there is no reason detached sidewalks cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

### **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:

- 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;
- 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**

- 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 #0207-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Sunrise Manor - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ORVPP TRUST & KUMAR RASMI TRS

**CONTACT:** JOSH HARNEY, BAUGHMAN & TURNER, INC., 1210 HINSON STREET,  
LAS VEGAS, NV 89102