

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0357-ROOHANI FAMILY TRUST & ROOHANI KHUSROW TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards; and **2)** waive off-site improvements (streetlights) (no longer needed).

DESIGN REVIEW for a proposed single-family detached residential development on 2.5 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located west of Bermuda Road and south of Frias Avenue within Enterprise. MN/hw/cv (For possible action)

RELATED INFORMATION:

APN:

177-28-803-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Allow reduced side setbacks for Lots 5 and 6 where developments shall comply with the rear or side zoning district setbacks of the adjacent NPO-RNP lot along any shared lot lines per Section 30.04.06G (no longer needed).
- b. Allow reduced lots sizes for Lots 1 through 6 where developments within, abutting, or adjacent to an NPO-RNO area shall transition along RNP boundaries by providing lot sizes 10,000 square feet or greater per Section 30.04.06G.
2. Waive off-site improvements (streetlights) along Bermuda Road and Frias Avenue where streetlights are required per Section 30.04.08C (no longer needed).

LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

2. Site Address: N/A
3. Site Acreage: 2.5
4. Project Type: Single-family detached residential development
5. Number of Lots: 10
6. Density (du/ac): 4.0
7. Minimum/Maximum Lot Size (square feet): 6,011/7,749
8. Number of Stories: 2
9. Building Height (feet): 30 (maximum)
10. Square Feet: 3,276 (maximum)

Site Plans

The plans show a proposed 10 lot single-family detached residential development located on the east side of Bermuda Road and the south side of Frias Avenue. The overall site is 2.5 acres with a density of 4.0 dwelling units per acre. The lots range in size from 6,011 square feet to 7,749 square feet and will generally be 50 feet to 61 feet wide and 120 feet to 150 feet long. All lots will be accessed from a centrally located 43 foot wide private street inclusive of a 4 foot wide sidewalk located on the south side of the street. The private street will be directly accessed from Bermuda Road on the east side of the site and terminate in a hammerhead turnaround on the west side of the site. Five lots are shown on each side of the street, with the lots along the western property line of the site being over 7,000 square feet. Five foot wide detached sidewalks are provided along both Bermuda Road and Frias Avenue within common element areas. A total of 28 total parking spaces are required and a minimum of 40 parking spaces will be provided by the garages and driveways on-site.

The side setbacks on the west side of Lots 5 and 6 are shown at **10** feet where a minimum of 10 feet is required since the properties to the west are in the Neighborhood Protection (RNP) Overlay. Lots 1 through 6 are adjacent to or abutting existing development in the Neighborhood Protection (RNP) Overlay to the north and west, which mandates that these lots be a minimum of 10,000 square feet, but the proposed lot sizes range from 6,265 square feet to 7,749 square feet.

Landscaping

Along Bermuda Road and Frias Avenue, the street landscaping area will consist of a 5 foot wide landscape strip on each side of a 5 foot wide detached sidewalk.

Elevations

The elevations show 2 different models with 3 possible exterior designs for the homes for a total of 6 possible exterior design combinations. Each exterior corresponds with either a Modern, Mediterranean, or Craftsman style. All models are 2 stories high and will range in height from 25.7 feet to 29.3 feet. The exteriors will consist of 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 shown.

Floor Plans

The models shown range in size from 3,004 square feet up to 3,276 square feet, not including garage, porch, and optional spaces which range in size between 67 square feet and 602 square feet, spread across 2 floors. Each model has 3 to 4 bedrooms with options that include walk-in closets, laundry rooms, ensuite bathrooms, large living and dining spaces, game rooms, additional bedrooms, and gourmet kitchens. All homes have garage space for 2 to 3 cars.

Applicant's Justification

The proposed lot size is consistent with neighboring residential developments that are being constructed. Lots 5 and 6 are close to the 10,000 square feet requirement. The proposed development is situated in an area where non-urban street standards have been previously accepted. The property to the north already has adequate lighting, and adding additional lights would result in excessive brightness for the area. The adjacent residential communities similarly

lack off-site improvements, which establishes a precedent for no streetlights in the current development. The use of a hammerhead turnaround is acceptable as driveway parking spaces are provided throughout the development, and there are a low number of homes on the street.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0139-17	6 lot single-family residential tentative map - expired	Approved by BCC	October 2017
VS-0711-17	Vacation and abandonment of patent easements - expired	Approved by BCC	October 2017
ZC-0710-17	Reclassified the site from R-E (RNP-I) to R-D zoning for a single-family residential development with reduced lot size	Approved by BCC	October 2017
ZC-1026-05	Reclassified the site from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Place of worship
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS10	Single-family residential
East	Compact Neighborhood (up to 18 du/ac)	RM18	Single-family residential
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

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

Related Applications

Application Number	Request
ZC-23-0822	A zone change from RS10 to RS5.2 is a companion item on this agenda.
VS-25-0356	A vacation and abandonment of patent easements is a companion item on this agenda.
TM-25-500087	A tentative map for a 10 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

The purpose of requiring increased lot sizes adjacent to existing NPO-RNP developed areas is to promote buffers that help to maintain the rural lifestyle of the residents within these areas, maintain the large lot design characteristics of NPO-RNP neighborhoods, and protect developing areas from the odors and other nuisances that come from being adjacent to livestock. In this case, staff is primarily concerned with Lots 5 and 6 as these 2 lots are directly adjacent to NPO-RNP residential uses. Staff's concern with Lots 5 and 6 is the reduced lot area will limit the separation between uses allowing for more contact between more urbanized lots and the NPO-RNP lots, which could negatively impact both the existing and proposed residents. Additionally, the reduction in lot size would represent a significant and immediate change in the design of area compared to the areas to the west. Finally, the site is raw land that could be designed to meet the required residential adjacency standards. 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 single-family subdivision is proposing a variety of different housing options that should help prevent monotony by providing a relatively large number of models when compared to the number of lots within the subdivision. This should allow for different architectural styles and house sizes that should keep the streetscape interesting. The plans also have the option for different ways of accessing the house with the front-loaded homes having various covering styles. The proposed homes use materials and colors typical of the southwestern United States. The site is well parked with a minimum of 4 parking spaces provided for each lot along with on-street parking. With that said, staff is concerned the lack of increased lot size for the lots adjacent to the existing NPO-RNP area to the west will not provide a sufficient buffer and will negatively impact the rural lifestyle of the neighboring properties. Additionally, the denial of the associated zone change would result in the proposed subdivision not complying with the required lot size of 10,000 square feet and the required setbacks of the RS20 (Residential Single-Family 20) zone. Staff finds the proposed subdivision does not support Master Plan Policies 1.3.1, 1.5.1, and 1.5.2 and Enterprise Specific Policy EN-1.1, which all support the development of compatible developments which foster the development of neighborhood features that support the livability

of the area and protect existing RNP areas. For these reasons, and because staff is not supporting the companion zone change, staff is unable to support this request.

Public Works - Development Review

Waiver of Development Standards #2

No longer needed.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Henderson Executive Airport, and is subject to potentially significant aircraft noise and continuing over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Airport to meet future air traffic demand.

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:

11. Expunge the waiver of development standards and design review portion of ZC-0710-17;
 - 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 45 feet to the back of curb for Bermuda Road, 20.5 feet to the back of curb for Frias Avenue and associated spandrel;
- Execute a Restrictive Covenant Agreement (deed restrictions);

- Install conduit and pull boxes for streetlights;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; and that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998, and funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

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 #0049-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: KHUSROW ROOHANI

CONTACT: TANEY ENGINEERING, 6030 S. JONES BOULEVARD, LAS VEGAS, NV 89118