

03/05/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0044-PARAMOUNT NA, LLC:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** increase retaining wall height; **3)** modify residential adjacency standards (previously not notified); and **4)** allow an attached sidewalk.

DESIGN REVIEW for a proposed single-family residential development on 2.67 acres in an RS3.3 Zone.

Generally located on the northwest corner of Rush Avenue and Arville Street within Enterprise. JJ/mh/kh (For possible action)

RELATED INFORMATION:

APN:

177-30-401-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along Rush Avenue where a 10 foot wide landscape strip is required per Section 30.04.01D.
2.
 - a. Increase retaining wall height to 5 feet along the north property line where 3 feet is the maximum allowed per Section 30.04.03C (a 67% increase).
 - b. Increase retaining wall height to 7 feet along the east property line where 3 feet is the maximum allowed per Section 30.04.03C (a 133% increase).
3. Allow residential lots abutting a Rural Neighborhood Preservation NPO to be less than 10,000 square feet (previously not notified).
4. Allow an attached sidewalk along Rush Avenue where a detached sidewalk is required per Section 30.04.08C.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.67
- Project Type: Single-family residential development
- Number of Lots/Units: 21
- Density (du/ac): 7.87
- Minimum/Maximum Lot Size (square feet): 3,472/4,876
- Number of Stories: 2

- Building Height (feet): 29 (maximum)
- Square Feet: 1,600 (minimum)/2,601 (maximum)

Site Plans

The plans depict a single-family residential development consisting of 21 residential lots and 2 common lots on 2.67 acres with a density of 7.87 dwelling units per gross acre. The lots range in size from 3,472 square feet to 4,876 square feet, with lots measuring 27 feet to 52 feet wide and 79 feet to 106 feet long. Lots 1 through 14 of the subdivision are accessed from Arville Street to the east via a 44 foot wide private street that culminates in a hammerhead design. Lots 15 through 21 are accessed directly from Rush Avenue, which is a local street. A 5 foot wide attached sidewalk is shown along the north side of the private street for Lots 1 through 6. The cross section shows a 4.21 foot high retaining wall along the northern portion of the site, and a maximum 6.73 foot high retaining wall along the eastern portion of the site along Arville Street.

Landscaping

A 15 foot wide landscape area with a 5 foot wide detached sidewalk is proposed along Arville Street, consisting of large trees, shrubs, and groundcover. An attached sidewalk with no street landscaping is proposed along Rush Avenue, where Title 30 requires 6 large trees to be planted in a 10 foot wide landscape area behind the attached sidewalk along Rush Avenue.

Elevations & Floor Plans

The elevations and floor plans show 7 different floor plan models with 7 possible exterior designs for the homes. All models are 2 stories tall, range in height from 26 feet to 29 feet, and consist of painted stucco, variable rooflines, window accents and recessing, covered rear patios, and building pop-outs and extensions. A covered entry porch, stone veneer, various shutter styles, and significant fenestration are shown. The models shown range in size from 1,600 square feet up to 2,601 square feet, and include garage, porch, and optional spaces, spread across 2 stories. Each model has 3 to 5 bedrooms with options that include walk-in closets, ensuite bathrooms, large living and dining spaces, and flex rooms customizable for offices, lofts, or additional bedrooms. All homes have garage space for 2 cars with space for 2 additional cars in the driveway.

Applicant's Justification

The applicant states the request to eliminate street landscaping along Rush Avenue is to ensure that the lots fronting Rush Avenue will not be impaired by the sight visibility zones. The applicant is also requesting to increase the retaining wall height along the north property to 5 feet, and along the east property line to 7 feet to ensure adequate drainage is maintained.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Compact Neighborhood (up to 18 du/ac)	RS20	Undeveloped
East	Open Lands	RS20 (NPO-RNP)	Undeveloped

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

Related Applications

Application Number	Request
ZC-25-0043	A zone change from RS20 to RS3.3 is a companion item on this agenda.
VS-25-0045	A vacation and abandonment of easements is a companion item on this agenda.
TM-25-500008	A tentative map for 21 single-family residential lots 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

Title 30 requires a 10 foot wide landscape strip behind an attached sidewalk. The request to eliminate street landscaping along Rush Avenue is inconsistent with Policy 3.6.1 of the Master Plan, which seeks to mitigate the urban heat island effect by reducing the footprint of hardscaped areas to reduce heat absorption by exterior surfaces. Staff finds that the request to eliminate street landscaping along Rush Avenue is a self-imposed hardship. Therefore, staff cannot support this request.

Waiver of Development Standards #2

The purpose of reviewing an increase in wall height, whether a retaining wall or a screen wall, is to ensure that the proposed wall will not negatively impact adjacent developments and streets, nor cause a safety hazard. Staff finds that there will be a need to retain soil so the site maintains adequate drainage. An existing drainage improvement exists to the north and the southern portion of the westerly development. Staff finds increased retaining wall heights in these locations would be acceptable since they are set back from the existing residences in these areas. However, in accordance with Title 30, maximum 3 foot high retaining walls may be used with a landscaped 3 foot horizontal off-set provided between each wall. Staff finds that tiered retaining walls could be used along Arville Street rather than the increased retaining wall height requested by the applicant. This request is a self-imposed hardship that can be rectified with a redesign of the subdivision. Therefore, staff cannot support this request.

Waiver of Development Standards #3

Staff finds that the subject site is abutting an NPO-RNP Overlay District, which requires 10,000 square foot residential lots along Arville Street to serve as a transition between the NPO-RNP and the proposed subdivision with RS3.3 zoning. However, the abutting NPO-RNP Overlay is only for an undeveloped, government-owned parcel (APN 177-30-801-027) which features a planned land use of Open Lands. Staff finds that the provision of 10,000 square foot lots abutting the NPO-RNP Overlay is unnecessary since the parcel is undeveloped and is surrounded by existing residential neighborhoods that are also zoned RS3.3. Therefore, staff can support this request. However, since staff cannot support the other waivers, staff recommends denial.

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.

Staff has no objection to the architectural designs of the proposed residences, which are compatible with existing residences in the area. However, since staff is not supporting the waivers of development standards and the tentative map, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #4

Staff cannot support the request to not install detached sidewalks along Rush Avenue. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities 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:

- 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, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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 35 feet to the back of curb for Arville Street, 30 feet to the back of curb for Rush Avenue, and associated spandrels;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- The installation of detached sidewalks along Arville Street will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

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; 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 that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant to show fire hydrant locations on-site and within 750 feet.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

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 #0467-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CIMARRON SPRING DEUX, LLC

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