

03/18/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0109-DEJOHN MICHAEL:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** increase retaining wall height.

DESIGN REVIEW for a single-family residential development on 7.81 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the southeast corner of Owens Avenue and Morning Sun Way within Sunrise Manor. TS/rg/kh (For possible action)

RELATED INFORMATION:

APN:

140-26-102-002; 140-26-102-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce front setbacks to 20 feet where 40 feet is required per Section 30.02.04 (a 50% reduction).
2. Increase the retaining wall height to 10 foot where 3 feet is the maximum allowed per Section 30.04.03 (a 233.33% increase).

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.81
- Project Type: Single-family residential development
- Number of Lots: 15
- Density (du/ac): 1.92
- Minimum/Maximum Lot Size (square feet): 20,004/22,374 (gross)/ 16,201/21,023 (net)
- Number of Stories: 1
- Building Height (feet): Up to 31
- Square Feet: 3,042 to 3,804

Site Plans

The plans depict a proposed single-family residential development consisting of 15 lots on 7.81 acres. The density of the overall development is shown at 1.92 dwelling units per acre. The lot range in size from a minimum 20,004 square feet (gross) to a maximum 22,374 square feet

(gross) and a minimum 16,201 square feet (net) to a maximum 21,023 square feet (net). The 15 single-family lots will be accessed from a 49 foot wide, east/west street via Morning Star Way. The east/west private street ends in an intersection with a north/south private street to the east. The east/west and north/south streets contain 5 foot wide sidewalks on both sides of the private streets. The north/south street terminates as a stub street to the north end, and as a cul-de-sac to the south end. The applicant has requested waivers for the increased in retaining wall height. The proposed retaining wall along the southern boundary line of the development features a 10 foot high retaining wall. A 6 foot high retaining wall along the east boundary line which is below grade from Radwick Drive, and not subject to the waiver request.

Landscaping

A 15 foot wide landscape strip consisting of a 5 foot wide detached sidewalk and two 5 foot wide landscape strip on both sides of the sidewalk are provided along Morning Sun Way, Owens Avenue and Radwick Drive. The plan depicts the street landscaping comprised of a large tree that is planted 30 feet on center.

Elevations

The plans depict 3, single-story homes that measures from 29 to 31 feet in height. Each home comprises of brick veneer, window overhang, variable roof line and coach lights.

Floor Plans

The plans depict 3 to 4 bedrooms, and 2.5 to 3.5 bathrooms. Each home will have a 3 car side-loaded garage.

Applicant’s Justification

The applicant states to the northwest of the site the front setbacks for the house are approximately 20-29 feet from the back of curb. The development to the south of the development has setbacks similar to this project, approximately 22 feet to 29 feet. The surrounding area features setbacks of 20 feet from the back of curb, which aligns with the established standards of the neighborhood. The application further states this ensures consistency and maintains the aesthetic integrity of the area, which will contribute positively to the community without causing any adverse effects and the impact is negligible. The increase in wall height is necessary so that the site maintains adequate drainage and the excess retaining is needed along Lot 7. Radwick Drive is very steep which causes excess retaining.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1595-01	A zone change to reclassify 34 acres from R-E to R-D and a special use permit for a planned unit development for 117 lot single family residential subdivision	Withdrawn	February 2002
SC-1719-98	A street name change to create a consistent street name along the Los Feliz Street alignment on the east boundary of this site	Approved by BCC	December 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, & West	Ranch Estates Neighborhood (up to 2 du/ac)	RS20	Single-family residential & undeveloped

Related Applications

Application Number	Request
VS-25-0110	A vacation and abandonment of portions of rights-of-way is a companion item on this agenda.
TM-25-500025	A tentative map for a 15 single-family residential lot 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 applicant is requesting to allow 20 foot setbacks for all proposed lots where 40 feet is normally required. The existing single-family homes nearby features at least 50% of the primary structure width that is reduced by 12 feet with enhanced decorative features. The Code allows a front setback reduction of 12 feet for 50% of the primary structure width within RS20 zoned areas which provides more design flexibility on larger single-family lots. However, the proposed home designs do not qualify for the setback reduction as it would be for more than 50% of the structure width. Increasing the size of the lots to meet the minimum required lot size and redesigning the homes to meet Code requirements could remove the need for this waiver. Staff does not support this request.

Waiver of Development Standards #2

The applicant indicated that an increase in height is necessary so that the site maintains adequate drainage. The proposed 6 foot high retaining wall along the east property line APN 140-26-102-003 will be located below grade from Radwick Drive right-of-way. However, the proposed 10 foot high retaining wall along the south boundary line will be located above the grade of the adjacent lots. Staff recognizes there may be design constraints for the project site to require the ;

increase in the retaining wall heights. However, there are alternatives in the code like tiered walls which may be used with a landscaped 3 foot horizontal offset provided between each 3 feet of vertical height. This request is a self-imposed hardship that can be rectified by a redesign of the subdivision. Therefore, 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.

Staff finds the development is consistent with the planned and existing uses in the immediate area. The development is compliant with Policy SM-1.1 (Neighborhood Integrity) and Policy SM-1.4 (Ranch Estate Neighborhood) of the Master Plan that encourage preserving the integrity of uniform neighborhoods and compatible infill development. However, staff finds that the applicant could design the subdivision to meet the front and rear setback requirements and retaining wall requirements per Title 30. Subdivision design standards are put in place to promote appropriate setbacks and create safe neighborhoods. Since staff does not support the waivers of development standards, staff cannot support the design review.

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 and application for review; 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;
- 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

- 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 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 #0418-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: LGI HOMES- NEVADA, LLC

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