

11/08/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

MOHAWK ST/OLETA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0620-ROMAN CATHOLIC BISHOP LAS VEGAS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** retaining wall height; and **2)** eliminate sidewalks and reduce street landscaping.

DESIGN REVIEWS for the following: **1)** single family residential subdivision; and **2)** finished grade on 9.8 acres in an R-E (RNP-I) Zone.

Generally located on the north and south sides of Oleta Avenue, the west side of Mohawk Street, and east side of Lindell Road within Enterprise. JJ/jor/syp (For possible action)

RELATED INFORMATION:

APN:

176-24-601-013; 176-24-601-019; 176-24-601-051; 176-24-601-055

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the combined retaining and screen wall height to 12 feet (6 foot screen wall and 6 foot retaining wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Section 30.64-050 (a 33% increase).
2.
 - a. Eliminate the requirement for detached sidewalks and permit alternative landscaping along Oleta Avenue where detached sidewalks and street landscaping are required per Figure 30.64-17 and Section 30.64-030.
 - b. Eliminate sidewalk and street landscaping along Mohawk Street where a detached sidewalk and landscaping is required per Figure 30.64-17 and Section 30.64-030.

DESIGN REVIEWS:

1. A single family residential subdivision.
2. Increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 9.8

- Number of Lots: 16
- Density (du/ac): 1.7
- Minimum/Maximum Lot Size (square feet): 20,792/23,590 (gross)/18,428/21,956 (net)
- Project Type: Single family residential development
- Number of Stories: 1 (maximum)
- Building Height (feet): 23 (maximum)
- Square Feet: 4,090 to 4,260

Site Plan & Request

The submitted plans depict a proposed single family residential development consisting of 16 lots with a density of 1.7 dwelling units per acre. Oleta Avenue will be dedicated and runs east to west and bisects the development and provides access to the parcels. The plan shows that Lots 1 through 4 face west toward Mohawk Street only.

The northern portion of the proposed development (north of Oleta Avenue) include Lots 5 through 7 and 14 through 16, and are accessed via 1 private street which terminates in a cul-de-sac on the north end of the private street.

The southern portion of the proposed development (south of Oleta Avenue) include Lots 8 through 10 and Lots 11 through 13. Access is also via a private street which terminates in a cul-de-sac on the southern end of the private street. Lastly, the plans show that the lot sizes of this subdivision comply with the Title 30 minimum gross lot size of 20,000 square feet and minimum net lot size of 18,000 square feet.

The applicant is requesting to increase the combined retaining and screen wall height to 12 feet (6 foot screen wall and 6 foot retaining wall) on the rear property lines of Lot 11 through 16 (west of the subdivision). In addition, the applicant is requesting to eliminate the requirement for detached sidewalks and allow alternative landscaping along Oleta Avenue. Lastly, no detached sidewalks or landscaping will be provided along Mohawk Street. There is a request for a design review for the proposed subdivision, and a design review for increase finished grade to 60 inches where a maximum of 36 inches is the standard per Section 30.32.040. The increase finished grade is located under Lot 5.

Landscaping

The plans show detached sidewalks with landscaping on the western portion of the development adjacent to Lindell Road. Oleta Avenue and Mohawk Street will be improved to rural street standards. Side yards for Lots 7, 8, 13, and 14 (north and south of Oleta Avenue) will be adjacent to a 7.5 foot wide landscape strip. Lots 1 through 4 will have access from Mohawk Street; therefore, any proposed landscaping will be provided within the front yard only, no sidewalks or street landscaping will be provided along Mohawk Street.

Elevations

The maximum overall height of the proposed 1 story homes is 23 feet. The applicant is proposing a casita option to be added on-site. The overall height of the casita option is 13 feet, 6 inches. The exterior finishes include neutral toned paint colors, faux stone veneer, stucco walls and stucco pop-out, and shingled roof tiles.

Floor Plans

The plans include bedrooms, bathrooms, a kitchen, and other ancillary areas of the home. There is an option for residents to choose a 3 or 4 car garage with RV parking. The plans vary from a minimum of 4,090 square feet to 4,260 square feet. Lastly the casita option has an overall area of 600 square feet.

Applicant's Justification

The applicant is not requesting any modifications to the current zoning category or planned land use. The intent is to develop the site with residences that are harmonious to the neighborhood. The maximum retaining wall being requested is between Lot 16 and Lindell Road, and this retaining wall decreases with each subsequent lot to the south. The proposed development is within an RNP-I (Rural Neighborhood Preservation) Overlay District where rural street standards have been previously accepted. No other sidewalks have been constructed along Oleta Avenue to the east or west of the subject parcels. To maintain the existing rural character of the area, the applicant is proposing a 7.5 foot wide landscape buffer, with no sidewalks, along the Oleta Avenue with 24 inch box trees to be planted every 20 feet. No detached sidewalks with landscaping is proposed along Mohawk Street since the homes fronting Mohawk Street will include landscaping within the front yards only. Lastly, the excess fill is needed along the north side of the property in order to balance out the cut and fill within the site while matching the existing grade of Mohawk Street. The excess fill is only needed for a small portion of the site and does not increase the elevation above the adjacent properties.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-1098-07	Place of worship - expired	Approved by BCC	January 2008
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
South & East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Undeveloped & single family residential
West	Ranch Estate Neighborhood (from 2 du/ac to 3 du/ac)	R-E (RNP-I) & R-D	Single family residential

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

Related Applications

Application Number	Request
VS-23-0621	A vacation and abandonment for easements is a companion item on this agenda.
TM-23-500128	A tentative map consisting of 16 lots for a proposed single family residential 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 applicant is requesting to increase the combined retaining and screen wall height to 12 feet (6 foot screen wall and 6 foot retaining wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Code. Per the applicant, the maximum retaining wall height is located on the west property line of Lot 16 and the retaining wall height decreases in a southerly direction towards Lot 11. The submitted cross section shows that the proposed retaining wall will be located below the finished grade of Lindell Road; therefore, only proposed screen walls will be seen from Lindell Road. Therefore, staff can support this request.

Waiver of Development Standards #2a

The applicant is requesting to eliminate detached sidewalks and allow alternative landscaping along Oleta Avenue where detached sidewalks and street landscaping are required per Figure 30.64-17 and Section 30.64-030. The submitted plans show a proposed 7.5 foot wide landscape strip along Oleta Avenue. Aerial views along Oleta Avenue depict rural street standards only, and there is no existing landscaping along Oleta Avenue to the east or to the west of the development. Staff finds that at minimum, the applicant should install street landscaping as proposed. For these reasons, staff can support this request.

Waiver of Development Standards #2b

Lastly, the applicant is requesting to eliminate sidewalk and street landscaping along Mohawk Street where a detached sidewalk and landscaping is required per Figure 30.64-17 and Section 30.64-030. The plans show that rural street standards are proposed for Mohawk Street. Lots 1 through 4 will face Mohawk Street only and will include residential driveways and front yard

landscaping. Staff finds that providing landscaping within the front yards can supplement the lack of street landscaping. Therefore, staff can support this request.

Design Review #1

The proposed single family residential subdivision is consistent with the surrounding residences in terms of design, layout, and lot sizes. Staff finds that the proposed subdivision is not out of character for this neighborhood. Therefore, staff can support this request.

Public Works - Development Review

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.

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

Approval.

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

- 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 final zoning inspection.
- Applicant is advised that the County has adopted a rewrite to Title 30 effective January 1, 2024, 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;
- Full off-site improvements on Lindell Road;
- Right-of-way dedication to include 35 feet to the back of curb for Lindell Road, 60 feet for Oleta Avenue, 30 feet for Mohawk Street and associated spandrels.
- 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; and that the installation of detached sidewalks will require the recordation of this vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval (install asphalt pathways along Lindell Road, Oleta Avenue and Mohawk Street; use rural road standards; amend Public Works bullet #4 to the following: right-of-way dedication to 40 feet for Lindell Road, 60 feet for Oleta Avenue, 30 feet for Mohawk Street and associated spandrels).

APPROVALS:

PROTESTS:

APPLICANT: PINNACLE HOMES

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