

12/03/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0732-DEHARO FREDDY GARCIA & MUNOZ ALFREDO GARCIA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce lot area; **2)** eliminate street landscaping; and **3)** waive full off-site improvements.

**DESIGN REVIEW** for a single-family residential development on 2.02 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located south of Tropical Parkway and east of Chieftain Street within Lone Mountain.  
AB/nai/kh (For possible action)

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RELATED INFORMATION:

**APN:**

125-30-704-001; 125-30-704-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the lot area to a minimum of 18,070 square feet where 20,000 square feet is the minimum required in an RS20 zone per Section 30.02.04.A (10 % reduction).
2.
  - a. Eliminate the street landscaping along a portion of the Tropical Parkway where a 6 foot wide landscape strip is required per Section 30.04.01.D
  - b. Eliminate the street landscaping along a portion of the Chieftain Street where a 6 foot wide landscape strip is required per Section 30.04.01.D
3.
  - a. Waive full off-site improvements (sidewalk, curb, gutter, streetlights, and partial paving) along Tropical Parkway where required per Section 30.04.08C.
  - b. Waive full off-site improvements (sidewalk, curb, gutter, streetlights, and partial paving) along Chieftain Street where required per Section 30.04.08C.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Acreage: 2.02
- Project Type: Single-family residential development
- Number of Lots: 4
- Lot Size (square feet): 19,097 (lot 1)/18,111 (lot 2)/18,070 (lot 3), and 26,864 (lot 4)
- Density (du/ac): 2
- Number of Stories: 1 (lot 1)/2 (lot 2 and 4)
- Building Height (feet): 24 feet 2 inches (lot 1)/27 feet 2 inches (lot 2)/25 feet 6 inches (lot 4)

- Square Feet: 5,718 (lot 1)/6,935 (lot 2)/6,534 (lot 4)

#### Site Plan

The plan depicts a proposed single-family residential development consisting of 4 lots. Lot 1, Lot 2, and Lot 3 will have access from Chieftain Street to the west, where Lot 4 will be accessed from Tropical Avenue to the north, a collector street. Lots 1 through 3 are subject to waiver to reduce the lot area where 20,000 is the minimum required. The plan shows that residences for Lots 1, 2, and 4 meet all the required setbacks. However, no plans have been submitted for Lot 3 at this time.

#### Landscaping

The plans depict a 6 foot wide landscape strip along a portion of Tropical Parkway, adjacent to Lot 4 and a portion of Lot 1. While the required number of trees along Tropical Parkway has been provided, the applicant is requesting a waiver to eliminate the required landscape strip along a portion of Tropical Parkway, adjacent to the western half of Lot 1. A total of 9 trees will be planted along the street including Blue Palo Verde and Seedless Hybrid Mesquite, 13 feet to 20 feet apart. Also, the required shrubs are planted along the street.

The plans also depict a 6 foot wide landscape along Chieftain Street. A total of 10 trees will be planted along the street including Blue Palo Verde and Seedless Hybrid Mesquite, 18 feet to 21 feet apart.

#### Elevations

The proposed building on Lot 1 will be a 1 story, 24 feet and 2 inches tall residence. The house will be made out of stucco, concrete roof tiles, and will have a decorative stone veneer wall along the front façade.

The proposed building on Lot 2 will be a 1 story, 27 feet and 2 inches tall residence. The house will be made from stucco and concrete roof tiles. The rear façade features an attached patio cover.

The proposed building on Lot 4 will be a two story, 25 feet and 6 inches tall residence. The house will be made from stucco and concrete roof tiles. The rear façade features two patio covers attached to the house.

#### Floor Plans

The total square footage of the house for Lot 1 is 5,718 square feet. It will have 5 bedrooms, 4 bathrooms, and an office.

The total square footage of the house for Lot 2 is 6,935 square feet. The first floor will have 2 bedrooms, 2 bathrooms, and an office. The second floor will have 2 rooms and 2 bathrooms.

The total square footage of the house for Lot 4 is 6,534 square feet. The first floor will have 4 bedrooms, 4 bathrooms, and an office. The second floor will house a loft area.

### Applicant's Justification

The applicants want to subdivide 2 existing parcels into four lots. Lots 1, 2, and 4 currently have 3 proposed custom homes. Lot 3 will be developed in the future and is not included in this submittal. The applicant also wants to waive full-offsites including curb, gutter, streetlights, sidewalk, and partial paving. This is because the general area does not have any sidewalks installed.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0296-01	Reclassify various parcels within Lone Mountain from R-U and RE to RE (RNP-1) and from R-A to R-A (RNP-I) and R-A (RNP-II)	Approved by BCC	August 2001

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residence
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Congregate care

### **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**

##### Waiver 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 a reduction of Lot #1, Lot #2, and Lot #3 to a minimum of 18,070 square feet where 20,000 square feet is the minimum size. All three lots will meet the minimum net lot size requirement. Staff finds that a similar request was approved for the development to the northwest of the proposed subdivision, which was for the reduction of lot sizes to 18,000 square feet. Also, the reduction request is minimal (less than 10%), and staff is not concerned

that the reduction will negatively impact the neighborhood. Additionally, the proposed development meets the density. However, since staff is not supporting the other requests, staff cannot support this request.

#### Waiver of Development Standards #2a & #2b

Staff cannot support the request to partially waive the required landscape strip. Although the applicant is planting the required number of trees along Tropical Parkway and Chieftain Street, there is a portion along each street that does not have the required 6 foot wide landscape strip. Having the required landscape surface plays a vital role in reducing the urban heat island effect. 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.

The proposed design of the homes incorporates design elements including recessed windows and garage doors, variable roof lines and building materials and parapet walls. Each of the homes do not exceed the maximum permissible height and are typical of other residential subdivisions within the County. However, staff is concerned with Lot 4 having access from Tropical Avenue to the north, which is a collector street. This is not in compliance with Section 30.04.09 of the code which states single-family residential access to any arterial or collector street is not permissible, and single-family residential shall face into a subdivision or front a local street and shall not face, front, or have direct driveway access to an arterial or collector street without an intervening street or access easement. The subdivision could be redesigned to satisfy these requirements; therefore, it is a self-imposed hardship. Additionally, staff is not supporting the waiver requests, and therefore, recommends denial.

#### **Public Works - Development Review**

##### Waiver of Development Standards #3

Staff cannot support this request to not install full off-site improvements on Chieftain Street and Tropical Parkway when there are existing full off-site improvements to the east of the site. Tropical Parkway is a collector road which accommodates a high volume of traffic; therefore, compliance with the standard is of utmost importance. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians

#### **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 2 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to construct a 5-foot detached concrete path along Chieftain Street and Tropical Parkway.

### **Fire Prevention Bureau**

- Applicant is advised that fire protection may be required and to contact Fire Prevention for further information at (702) 455-7316.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ALFREDO GARCIA

**CONTACT:** ADRIAN PLATA, PLATA DESIGN, PO BOX 401296, LAS VEGAS, NV 89140