

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0719-DESERT INN SQUARE, LLC:

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

DESIGN REVIEW for a single-family residential development on 5.17 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located on the north side of Warm Springs Road, 330 feet west of Myers Street within Spring Valley. MN/rr/kh (For possible action)

RELATED INFORMATION:

APN:

176-04-801-009

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce rear setbacks for Lots 25 through 32 to 11 feet where 15 feet is the minimum required per Section 30.02.07B (a 26.7% reduction).
2. Increase retaining wall height to 6 feet where 3 feet is the maximum height per Section 30.04.03C (a 100% increase).

PROPOSED LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 5.17
- Project Type: Single-family detached residential
- Number of Lots: 40
- Density (du/ac): 7.74
- Minimum/Maximum Lot Size (square feet): 3,303/5,247
- Number of Stories: 2
- Building Height (feet): 25
- Square Feet: 2,255/2,405

Site Plan

The plan depicts a single-family detached development totaling 40 single-family lots and 4 common element lots on 5.17 acres located on the north side of Warm Springs Road, 330 feet west Myers Street. The density of the overall development is shown at 7.74 dwelling units per

acre. The lots range in size from a minimum of 3,303 square feet to a maximum of 5,247 square feet. All proposed lots will be accessed from three, 43 foot wide private streets with 39 feet from back of curb to back of curb and a 4 foot wide attached sidewalk on 1 side of the street. A single street access is provided to Warm Springs Road. The private street extends to the north and intersects with another street in a T formation. The 3rd private street extends to the west from the 1st street. The area adjacent to Warm Springs Road is proposed to be improved with a 5 foot wide detached meandering sidewalk and a 29 foot wide landscape strip within Common Elements "A" and "D." A 20 foot wide drainage easement to be privately maintained is proposed to go through Common Element "B" located at the north side of the site. Finally, Common Element "C" contains a 5 foot wide drainage easement located near the northwest corner of the site. Eleven foot rear yard setbacks are requested for Lots 25 through 32 within the center of the subdivision.

Landscaping

The plans show landscaping along Warm Springs Road located within two, 29 foot wide common elements on both sides of the main point of ingress/egress to Warm Springs Road with a 5 foot wide meandering detached sidewalk. The width of the common elements corresponds with an existing NV Energy easement along Warm Springs Road. A 6 foot wide landscape strip extends north along a portion of the west side of the subdivision entrance street. The street landscaping areas are proposed to consist of 14 medium trees spaced at 20 feet on center. The species include Desert Willows and Foothill Palo Verde trees. All shrubs are proposed to be 5 to 15 gallon sized and include 4 species. A 6 foot tall decorative perimeter wall is along the property, along both sides of the drainage easement in Common Element "B", and along the side streets adjacent to Lots 1, 12, 25, 32 and 40. Increased retaining walls are shown along the east property.

Elevations

The elevations indicate 2 story detached single-family homes throughout the development. Two models each with 3 elevation options are proposed with contemporary and American Traditional designs and finishes. All residences are proposed to be 25 feet in height. The exterior of the residences consists of stucco finishes, stone veneer accents, pitched concrete tile roofs, and window popouts. The second floors are partially or fully located over a 2 car garage.

Floor Plans

Two floor plans are provided which range in size from 2,255 square feet to 2,405 square feet of livable space. Two variations to the second floor plans are also provided. Each plan features 1 bedroom, a kitchen, dining room, living room, 1 bathroom, and a side-entry front door on the first floor. Each plan also features 3 bedrooms, a loft, laundry room, and 2 to 3 bathrooms on the second floor. Each model has an attached 2 car garage.

Applicant's Justification

The homes will feature tile roofs, some of the elevations will have stone accents and all exterior elevations will have window treatments with a neutral color palette to blend with the natural surroundings. The waiver to reduce rear setbacks only affects 8 internal lots. The waiver for increased retaining wall height is requested to address hydrology requirements along Warm Springs Road. The design results in the first 3 to 4 lots being raised above the existing ground

elevation of the site. The adjoining lots of the developed residential neighborhood to the east were lowered to get their site to balance properly requiring the installation of retaining walls. This situation also exists at the northeast corner of the site.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|-----------------|-------------|
| NZC-0186-04 | Reclassified the site from R-E to C-1 for an office and retail center | Approved by BCC | June 2004 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|--------------|----------------------------------|----------------------------------|---------------------------|
| North & East | Business Employment | RS3.3 | Single-family residential |
| South | Neighborhood Commercial | RM32 | Undeveloped |
| West | Neighborhood Commercial | CG | Office/retail center |

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

Related Applications

| Application Number | Request |
|---------------------------|--|
| PA-24-700039 | A plan amendment to redesignate the site from Business Employment (BE) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda. |
| ZC-24-0717 | A zone change from CG to RS3.3 is a companion item on this agenda. |
| VS-24-0718 | A vacation and abandonment for government patent easements is a companion item on this agenda. |
| TM-24-500155 | A tentative map for 40 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

The applicant is requesting to reduce the rear setback for 8 proposed lots from 15 feet to 11 feet. The affected lots, Lots 25 to 32, are internal to the subdivision and do not border a perimeter lot line. The subject lots are less than 95 feet in length and cannot accommodate the building footprint as proposed within the required setbacks. This appears to be a self-created situation based on the subdivision design and the developer's choice of the proposed floor plans. Therefore, staff cannot support this request.

Waiver of Development Standards #2

The applicant is requesting to increase the maximum height of a retaining wall to 6 feet in certain areas along the east property line in order to address hydrology requirements along Warm Springs Road. In the cross section provided, one diagram shows the residences to the east would ultimately be looking at a wall height of 14 feet when taking into account the existing 3 foot high retaining wall and 6 foot high wall. While it appears that the need to increase the retaining wall height is a result of existing grade conditions of the site and surrounding developed area, there are other design solutions, such as tiered walls a project redesign or even a reduction in density as allowed by the code, that do not require a waiver. 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 architectural design of the residences is consistent with the existing single-family homes in the area and is similar in density to the existing single-family development within the immediate area. The elevations provided indicate that the development will consist of 2 story homes which is consistent with the existing single-family developments to the north and east of the site. The design is consistent with the requirements for having at least 2 architectural features on each façade of the structure, garage variations, and proper driveway length. Therefore, staff could support the design review, however, since the waivers are not being supported, staff is recommending denial.

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. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: February 4, 2025 – APPROVED – Vote: Unanimous
Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without a Certificate of Compliance;
- 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.
- 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 Warm Springs Road;
- 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 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

- No comment.

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 #0186-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS: 3 cards

PROTESTS: 1 card, 1 letter

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: THE WLB GROUP, 3663 E. SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120