

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0764-NEVADA INTERNATIONAL INVEST, LTD:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate setback to a nondepressed freeway; **2)** eliminate street landscaping; and **3)** eliminate and reduce landscape buffering and screening.

**DESIGN REVIEW** for a proposed single-family residential development on a 5.03 acre portion of 5.16 acres in an RS2 (Residential Single-Family 2) Zone.

Generally located south of Richmar Avenue and west of Ensworth Street within Enterprise.  
MN/dd/cv (For possible action)

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RELATED INFORMATION:

**APN:**

177-20-801-001 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate the setback between residential development and a nondepressed freeway where 50 feet is required per Section 30.02.25D.
2. Eliminate the street landscaping along Ensworth Street where two, 5 foot wide landscape strips consisting of trees and shrubs are required on each side of the detached sidewalk per Section 30.04.01D.
3.
  - a. Allow a 6 foot high non-decorative block wall along the west property line where an 8 foot high decorative screen wall with noise attenuation per NDOT standards shall be provided per Section 30.04.02C.
  - b. Eliminate the landscape buffer along the west property line where a 15 foot wide landscape buffer consisting of a double row of evergreen trees is required per Section 30.04.02C.

**PROPOSED LAND USE PLAN:**

ENTERPRISE - COMPACT NEIGHBORHOOD (UP TO 18 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5.03 (portion)/ 5.16(site)
- Project Type: Single-family residential development
- Number of Lots/Units: 48
- Density (du/ac): 9.55
- Minimum/Maximum Lot Size (square feet): 2,767/3,604

- Number of Stories: 2
- Building Height (feet): Up to 27
- Square Feet: 1,284 to 1,609
- Open Space Required/Provided: 9,600/10,255

#### Site Plans

The plans depict a proposed 48 lot single-family detached residential subdivision located on the south side of Richmar Avenue and the west side of Ensworth Street, with the US I-15 directly to the west. The overall site is 5.03 acres with a density of 9.55 dwelling units per acre. The lots range in size from 2,767 square feet up to 3,604 square feet. Lots 1 through 18 will be directly accessible from Ensworth Street to the east of the development. Lots 19 through 48 are internal to the subdivision and will front a 48 foot wide street running north to south that will take access from Richmar Avenue and terminates in a cul-de-sac. Lots 37 through 48 are separated from the US I-15 to the west by a 5 foot wide drainage easement located between the rear walls of the lots and a future NDOT sound wall; however, the NDOT sound wall is not proposed at this time. The plans also depict an existing off-premise sign between Lots 41 and 42 along the west property line that is set to remain. The 0.13 acre area around the sign is currently set to become its own parcel separate from the residential development via MSM-25-600082. Additionally, there is an 8,726 square foot common element located in the southwest corner of the site, and another 1,529 square foot common element in the northwest corner of the site. Detached sidewalks are provided along Richmar Avenue and Ensworth Street.

#### Landscaping

The plans depict street landscape areas, including two 5 foot wide landscape strips comprised of a mix of large trees, shrubs, and groundcover, provided on each side of the detached sidewalk along Richmar Avenue. Additionally, a mix of large trees, shrubs, and groundcover is provided within the common element in the southwest corner of the site. However, the required street landscaping along Ensworth Street and the required intense landscape buffer on the west side of the property along the US I-15 are not provided.

#### Elevations

The elevation plans depict 4 different models being offered in 2 different finishes for a total of 8 potential designs. All of the designs are 2 story with a maximum height of 27 feet. Each of the designs also features various architectural features on all 4 sides of the homes, including contrasting stucco finishes, stone veneer accents, rear patio covers, pitched concrete tile roofs, and window pop-outs.

#### Floor Plans

The models range in size from 1,284 square feet up to 1,609 square feet including a standard 2 car garage as well as a covered porch and patio spread across 2 stories. Each model has either 2 or 3 bedrooms along with a kitchen, restrooms, and living areas.

#### Applicant's Justification

The applicant states the design of the proposed neighborhood and the homes that will be built meet the standards set forth in Title 30; a 5 foot wide sidewalk is provided on both sides of the internal private street, and each of the house designs features 4 sided architecture. The applicant

also justifies their waivers for freeway setbacks, buffering, and screening by noting that a noise-attenuating wall is to be provided by a separate company contracted by NDOT at a later time in between the proposed neighborhood and the freeway. They also state that the required landscape buffer between the proposed homes and the existing freeway would be unnecessary, as the future NDOT sound wall and the resident's rear yard walls will achieve the desired noise attenuation. Additionally, the waiver for the required street landscaping along Ensworth Street is justified since water meters are to be installed behind the curb within the landscape strip in front of the detached sidewalk, making the installation of trees impossible. Finally, the applicant states that the proposed development is in line with Clark County's Master Plan by promoting compatible infill development, preserving neighborhood character, and ensuring efficient use of existing infrastructure and services.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ADR-900177-12	Administrative design review for the conversion to an electronic message unit for an off-premises sign	Approved by ZA	March 2012
UC-0175-08	Use permit to allow a temporary sales office for resort condominiums prior to a tentative or subdivision map - expired	Approved by PC	April 2008
ET-400305-05 (DR-1765-03)	First extension of time for an office building - expired	Approved by BCC	February 2006
ZC-1309-05	Zone change from C-1 to U-V with use permits and a design review for a mixed-use development consisting of offices, retail, and residential units within a high-rise building - expired	Approved by BCC	January 2006
DR-1765-03	Design review for an office building - expired	Approved by BCC	December 2003
UC-0784-03	Use permit for off-premises advertising (billboard)	Approved by BCC	June 2003
ZC-0810-01	Zone change from R-E to C-1 for an office warehouse complex	Approved by BCC	December 2001

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Entertainment Mixed-Use	CR	Manufactured home park
South	Entertainment Mixed-Use	RM32	Multi-family residential
East	Entertainment Mixed-Use	RM18	Single-family residential
West*	Business Employment	RS20	Undeveloped

\*Immediately to the west is I-15

### **Related Applications**

<b>Application Number</b>	<b>Request</b>
PA-25-700048	A plan amendment from Entertainment Mixed-Use (EM) to Compact Neighborhood (CN) is a companion item on this agenda.
ZC-25-0763	A zone change from CG to RS2 is a companion item on this agenda.
WS-25-0782	A waiver of development standards for a Public Works standards related to a minor subdivision is a companion item on this agenda.
VS-25-0765	A vacation and abandonment for patent easements is a companion item on this agenda.
TM-25-500186	A tentative map for a 48 lot single-family residential subdivision 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

While staff would not normally support a setback elimination from a nondepressed freeway, the applicant has provided records of their communication with the Nevada Department of Transportation (NDOT) that confirms a freeway wall is in the process of being constructed to NDOT standards by a separate company. Therefore, although the applicant is not providing the freeway wall with this development, the required wall will eventually be constructed. Additionally, the rear yards of each of the homes along the west side of the property will feature a 6 foot high screen wall on top of a 3 foot high retaining wall, which will serve to further buffer the homes from the freeway. For these reasons, staff can support this request.

##### Waiver of Development Standards #2

The purpose of street landscaping is to enhance the perimeter of a site by providing shade for sidewalks and mitigate the urban heat island effect. While staff acknowledges that water meters will be installed between the back of curb and the detached sidewalk, water meters will not take up the entire width of the landscape area in front of the detached sidewalks. Additionally, trees are prohibited in required sign zone. However, the required landscape strips could have been planted with shrubs at a minimum. Therefore staff cannot support this request.

### Waiver of Development Standards #3

While staff is supportive of the reduction of setbacks for the homes to the existing nondepressed freeway to the west due to the lack of noise attenuation wall temporarily, staff finds that the elimination of the required landscape buffer along the freeway negatively impacts the site. Landscape buffers are required to lessen the impacts of development for neighbors and existing properties, and in this case future homebuyers may be impacted by noise, lighting, and degradation of air quality emanating from the existing freeway, whereas these impacts would be greatly lessened by including the required landscape buffer. Staff also finds that the elimination of some lots or reconfiguration of lots might have made it possible for the landscape buffer to be installed, therefore this is a self-imposed hardship. For these reasons, 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 plans demonstrate that the density and layout of the proposed subdivision is either consistent with or less intense than other subdivisions in the surrounding area. Additionally, 4 sided architecture has been provided for each home design and the length of the street terminating in a cul-de-sac is still easily navigable, which makes the development more appealing overall. For these reasons, staff can support this request.

### **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 of waiver of development standards #1 and the design review; denial of waivers of development standards #2 and #3. 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 Statute

**PLANNING COMMISSION ACTION:** December 16, 2025 – APPROVED – Vote: Unanimous Absent: Gibson

### **Comprehensive Planning**

- Provide a disclosure form to future homebuyers disclosing the location of the existing billboard;

- Provide a disclosure form to the future homebuyers disclosing the location of the future train;
- 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 25 feet to the back of curb for Ensworth Street, 25 feet to the back of curb for Richmar Avenue, a portion of a cul-de-sac and associated spandrel;
- 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](mailto: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)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking 0255-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC: Enterprise - approval of waivers of development standards #1 and #2; denial of waiver of development standards #3 and the design review (establish entry and exit on the southern end of the property).**

**APPROVALS: 1 card**

**PROTESTS: 6 cards**

**APPLICANT:** NEVADA INTERNATIONAL INVEST, LTD

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