

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0429-BECKER PETER J & ANGELA A REVOCABLE TRUST & BECKER PETER J & ANGELA A TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce rear setback; **2)** increase wall height; **3)** modify residential adjacency standards; **4)** reduce driveway separation; and **5)** reduce street intersection off-set.

DESIGN REVIEW for a single-family detached residential development on 7.04 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located south of Agate Avenue and west of Pioneer Way within Enterprise. JJ/rg/cv
(For possible action)

RELATED INFORMATION:

APN:

176-22-201-002; 176-22-201-003; 176-22-201-024

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce rear setbacks for Lots 46 through 50 to 13 feet where a minimum of 15 feet is required per Section 30.02.07 (a 13% reduction).
2.
 - a. Allow an 8 foot screen wall along the west property line where a maximum of 6 feet is permitted per Section 30.04.03B (a 33% increase).
 - b. Allow a 4 foot retaining wall along the west property line where a maximum of 3 feet is permitted per Section 30.04.03C (a 33% increase).
3. Allow lot sizes less than 10,000 square feet (as small as 3,324 square feet) where residential development within abutting or adjacent to a Neighborhood Protection (RNP) Overlay shall transition along RNP boundaries by providing lot sizes 10,000 square feet or greater per Section 30.04.06G.
4. Reduce the separation from the back of curb to a driveway to 15 feet where a minimum of 20 feet is required per Uniform Standard Drawing 222 (a 25% reduction).
5. Reduce the street intersection off-set to 83 feet where a minimum of 125 feet is required per Section 30.04.08F (a 33% reduction).

PROPOSED LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.04

- Project Type: Single-family residential development
- Number of Lots: 54
- Density (du/ac): 7.67
- Minimum/Maximum Lot Size (square feet): 3,324/5,134
- Number of Stories: 2
- Building Height (feet): Up to 25
- Square Feet: 1,850 to 2,482

Site Plans

The plans depict a proposed single-family residential subdivision at the southwest corner of Agate Avenue and Pioneer Way. The subdivision will have only one access point to the site, which is located on Pioneer Way to the east. The internal street layout is comprised of private streets which ends in stub streets. Street A, an east/west street, serves as the entry point to the subdivision from Pioneer Way, which varies in width from 38 feet to 42 feet. Street B, a north/south street, varies in width from 38 feet to 42 feet. Streets C, D, and E are all north/south streets and are 30 feet wide. A 4 foot wide sidewalk is provided on one side of Streets A and B.

The applicant has requested to reduce the rear yard setback to 13 feet for Lots 46 to 50. The applicant has also requested waivers for the increased retaining wall and screen wall height. The proposed walls will be along the west property line. Lastly, the applicant has requested to allow the minimum lot size to be as small as 3,324 square feet when abutting a Neighborhood Protection (RNP) Overlay.

Landscaping

A detached sidewalk is being proposed along Agate Avenue and Pioneer Way, with a 5 foot wide landscape strip on both sides of the 5 foot wide sidewalk. The plan depicts large trees and shrubs provided for every 30 linear feet of street frontage.

Elevations

The plans depict 2 story models with a maximum height of 25 feet. The elevations on all 4 sides consist of a concrete tile roof, stucco exterior with variable rooflines, faux window shutters on some elevation options, foam trim, stone veneer on some elevation options, a porch, and a variety of garage door patterns.

Floor Plans

The plans depict single-family residences with 3 to 4 bedrooms and 2.5 bathrooms. Each home will have a 2 car garage.

Applicant's Justification

The applicant is requesting waivers of development standards and design review for a 54 lot single-family detached residential subdivision with a density of 7.67 dwelling units per acre. The applicant is requesting waivers to allow increased retaining wall height and increased screen wall height above the retaining wall to allow more privacy for the neighboring property to the west. Also, the existing residence to the west is on the high side so the retaining wall will not be visible from their property. The applicant is requesting to reduce the rear setback for the largest floor plan to allow for a 20 foot long driveway in the front. The applicant states that the

request to allow the smaller lot adjacent to the NPO-RNP and the intent for this development is to meet the RS3.3 minimum lot size requirement. The applicant is requesting to allow modification of the Uniform Standard Drawings 201 and 222.1. This is to allow for a reduced street offset between the proposed private Street A and the existing private street to the south (Brookport Avenue) on the east side of Pioneer Way from 125 feet of right-of-way to 83 feet. This will minimize the impact to traffic on Agate Avenue, locate the community entrance away from the existing RS20 zoned properties and have the main access designed to be on Pioneer Way. The reduction of the back of curb radius is all interior to the development and will not adversely impact residential traffic within the subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Established the RNP-I overlay in Enterprise	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential development
South	Neighborhood Commercial & Corridor Mixed-Use	CC	Mixed-use development
East	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS3.3	Single-family residential development
West	Neighborhood Commercial	RS20 (NPO-RNP)	Single-family residence

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

Related Applications

Application Number	Request
PA-25-700027	A plan amendment from Low-Intensity Suburban Neighborhood (LN) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-25-0427	A zone change from RS20 to RS3.3 and to remove the NPO-RNP is a companion item on this agenda.
VS-25-0428	A vacation and abandonment of patent easements and a portion of right-of-way is a companion item on this agenda.
TM-25-500101	A tentative map for 54 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

Staff finds that the reduction of rear setbacks is simply due to the footprint of the homes being too large for the proposed lots; a modest reduction in square footage or the selection of a different model of home would eliminate the need for a waiver. The requested reduction of the rear setback is a self-imposed hardship; therefore, staff cannot support this request.

Waiver of Development Standards #2

The applicant is requesting to increase the retaining wall height to 4 feet, where 3 feet is the maximum height allowed per Title 30 requirements. An 8 foot high screen wall is also proposed on top of the retaining wall. These requests are for the perimeter wall along the west property line where the development abuts an existing single-family residence. Staff typically does not support wall height increase requests, however in this case the retaining wall is to allow the grade to sit lower than the adjacent property and the increase in wall height will provide better screening due to the property being planned for commercial uses. Therefore, staff can support this request.

Waiver of Development Standards #3

The applicant is requesting a waiver to allow a lot abutting the Neighborhood Protection (RNP) Overlay to be less than 10,000 square feet in size. The NPO-RNP area is located to the west and to the north of Agate Avenue. The residential adjacency requirements require a minimum lot size of 10,000 square feet for the lots on the north and west portions of the development. However, the proposed development will have a minimum lot size of 3,324 square feet. The proposed subdivision can be redesigned by providing larger lots abutting the NPO-RNP properties to the north in order to provide proper transition. While staff could support the smaller lot sizes along the NPO-RNP to the west, staff recommends denial of the request for the lots south of the NPO-RNP to the north which measures as small as 4,150 square feet.

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 elevations and aesthetic features are not unsightly or undesirable in appearance. The architectural features provided on all 4 sides of the homes meet the minimum design required by Title 30. The landscaping is compatible with the surrounding area. However, approval of this request is contingent upon approval of the waivers of development standards, which staff does not support.

Public Works - Development Review

Waiver of Development Standards #4

Staff has no objection to the request to reduce the street intersection off-set between Brookport Avenue and Street "A". With the additional common elements adjacent to Plum Ridge Street, visibility will be improved for those entering the site.

Waiver of Development Standards #5

Staff finds the request to reduce the distance from the back of curb radius (BCR) to the driveway to be a self-imposed hardship that could be addressed with a site redesign.

Staff Recommendation

Approval of waivers of development standards #2 and #4; denial of waivers of development standards #1, #3, #5, and the design review. This item will be forwarded to the Board of County Commissioners' meeting for final action on August 20, 2025 at 9:00 a.m., unless otherwise announced.

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:

- 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 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;

- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet to the back of curb for Agate Avenue, 30 feet to the back of curb for Pioneer Way and associated spandrel;
- Lot 54 to be allotted only a one (1) car garage.

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 #0018-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: KB HOME

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