

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-24-0510-USA:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce gross lot area; **2)** reduce net lot area; **3)** reduce front setbacks; **4)** allow a gated community within the NPO-RNP; **5)** reduce street landscaping; **6)** reduce call box setback; **7)** eliminate off-site improvements (curb, gutter, sidewalks, and streetlights); **8)** increase the length of a non-through street without a county approved turnaround; and **9)** eliminate street knuckles.

**DESIGN REVIEW** for a single-family residential subdivision on a 22.14 acre portion of 32.12 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the south side of Craig Road, north of Florine Avenue (alignment), east of Chieftain Street, and west of Fort Apache Road within Lone Mountain. RM/hw/kh (For possible action)

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RELATED INFORMATION:

**APN:**

138-06-801-004; 138-06-801-011 ptn

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce the minimum gross lot size to 16,801 square feet where 20,000 square feet is the minimum per Section 30.02.04B (a 16% reduction).
2. Reduce the minimum net lot size to 12,927 square feet where 18,000 square feet is the minimum per Section 30.02.04B (a 28.2% reduction).
3. Reduce the front setback to 20 feet where 40 feet is the minimum per Section 30.02.04B (a 50% reduction).
4. Allow a gated community within the Neighborhood Protection (RNP) Overlay area where not permissible per Section 30.02.26F.
5. Reduce the width of street landscaping to 5 feet where 6 feet is the minimum per Section 30.04.01D (a 16% reduction).
6. Reduce the setback of a residential call box to 36 feet where guard enclosures and related equipment shall be set back no less than 50 feet from the right-of-way line of the intersecting street per Section 30.04.03E (a 28% reduction).
7. Eliminate off-site improvements (curb, gutter, sidewalks, and streetlights) where required per Section 30.04.08C.
8. Increase the length of a non-through public street (Hickam Avenue) without a County approved turnaround to 158 feet where 150 feet is the maximum per Section 30.04.08D (a 5% increase).
9. Eliminate the requirement for street knuckles where knuckles are required per Uniform Standard Drawing 211.

## **LAND USE PLAN:**

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

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: N/A
- Site Acreage: 22.14 (site)/32.12 (overall)
- Project Type: Single-family detached residential subdivision
- Number of Lots: 39
- Density (du/ac): 1.76
- Minimum/Maximum Lot Size (square feet): 16,801/31,317 (gross)/12,927/22,386 (net)
- Number of Stories: 1 to 2
- Building Height (feet): 17.7 (minimum)/33.5 (maximum)
- Square Feet: 3,299 (minimum)/5,004 (maximum)
- Parking Required/Provided: 86/86

#### Site Plans

The plans depict the proposed single-family detached subdivision will be located on a 22.1 acre portion of a larger 32.1 acre site located at the southeast corner of Craig Road and Chieftain Street. The plans show a 10 acre portion located in the southwest portion of the overall site will be split off from the site and will remain undeveloped under the ownership of the Bureau of Land Management. The plans show the site will be divided into 39 lots with density of 1.76 dwelling units per acre. The site will be accessed solely from Fort Apache Road from a 56 foot wide private street being Manari Avenue. The entry street will contain an access gate, an egress gate, 2 medians, and a call box. The plans show the access gate will be set back 68 feet from the property line and 81 feet from the lip of the gutter of the intersecting street. The egress gate will be 58 feet from the property line and 72 feet from the lip of gutter of the intersecting street with the call box being located 50 feet from the lip of gutter and 36 feet from the property line. The main entry street splits into 2 smaller 39 foot east-west private streets to the west of the gate and intersects with a main north-south 39 foot wide private street located on the west side of the site. This main private street extends the length of the site and terminates in the north with a 39 foot wide small stub street. In the south, the main private street terminates in an east-west 41 foot wide private street. This southern private street terminates in a hammerhead cul-de-sac in the east and a stub street in the west. There are rows of lots on each side of the internal private streets. The lot ranges in size from 16,801 square feet up to 31,317 square feet in terms of gross lot area and from 12,927 square feet up to 22,386 square feet in terms of net lot area. The lots as shown generally have a 40 foot front setback from the middle of the street and a 20 foot setback from the back of the proposed private streets. All driveways are shown to be a least 20 feet long.

#### Landscaping

The plan shows that a 5 foot wide existing detached sidewalk is provided along the portions of Fort Apache Road that are adjacent to the site with street trees being planted within a 5 foot wide landscape strip behind the sidewalk. Sidewalks on the remaining exterior roads are not provided. Additionally, a 6 foot wide landscape strip is provided along the north side of the portion of Hickam Avenue that will remain. Along all other exterior roads, a 5 foot wide landscaping strip

is provided on-site behind the property line, except for within sight zone and where driveways and drainage and other easements are proposed. Within these landscaping strips are a single row of alternating Shoestring Acacia (*Acacia Stenophylla*) and Indian Rosewood (*Delbergia Sisso*) trees generally spaced every 30 feet on center. Overall, a total of 101 large trees are required with 110 large trees provided throughout the site. Additionally, 5 foot landscaping strips with various shrubs species are provided on the east side of the main north-south street between the Hickam Avenue and Helena Avenue alignments and on the west side of the north-south street directly to the west of the entrance gate. These landscape strips have been installed to allow for an increase in retaining wall height.

Elevations & Floor Plans

The elevations provided show a total of 14 different options for the exterior design of the homes that can be constructed within the development. There are 7 different models/floor plans overall with each having 2 elevation options. All options are either 1 or 2 stories tall and range in height from 17.7 feet to 33.5 feet. All residences are shown to consist of painted stucco, flat roofs with 3 options allowing for gabled metal roofs, window accents and recessing, variations in roofline, and building pop-outs and extensions. All models are shown with a covered entry courts or courtyards, stone or wood veneer accents, awnings, and significant fenestration.

The models shown range in size 3,299 square feet up to 5,004 square feet, including patio, courtyard, and garage space, spread across 1 to 2 stories. Each model is shown to have 3 to 5 bedrooms with options that include additional bedrooms, bonus rooms, lofts, game rooms, gourmet kitchens, and additional bathroom options. All homes have garage space for 2 cars up to 5 cars with optional RV garage space as well.

Applicant’s Justification

The applicant states that the proposed subdivision will utilize the existing zoning resulting in a product that will be in-line with surrounding developments. They also state that sufficient landscaping has been provided around the perimeter and within the site. The applicant indicates that sidewalks and off-sites are not needed in this area due to the rural nature of the area and general lack of such improvements in the surrounding developments, and the reduction in landscaping strip width is also justified for this reason. The applicant also states that the reduction in the lot area is done to efficiently use the site while maintaining the required density of 2 dwelling units per acre. The applicant also justifies the reduction of front setbacks and the gating of the community on the similarities of the proposed design to similar developments that are directly adjacent or abutting to the site.

**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)	Single-family detached residential
South	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20 & RS10	Single-family detached residential

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
East	Ranch Estate Neighborhood (up to 2 du/ac) & City of Las Vegas	RS20 (NPO-RNP) & R-PD2	Single-family detached residential & undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	RS20 (NPO-RNP)	Single-family detached residential & undeveloped

**Related Applications**

<b>Application Number</b>	<b>Request</b>
VS-24-0509	A vacation and abandonment of patent easements, BLM right-of-way grants, and rights-of-way is a companion item on this agenda.
TM-24-500108	A tentative map for a 39 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.

Waivers of Development Standards #1 & #2

Staff finds that the requested lot size reduction is excessive for the smallest lots and would be out of place for the surrounding area. Additionally, the reduced lot size is inconsistent with lot size requirements contained within the Lone Mountain Interlocal Agreement. Nearly all lots within the surrounding area that are under Clark County’s jurisdiction are over the required gross lot size minimum required of the RS20 zone, but there are several subdivisions nearby within the City of Las Vegas which do have lot sizes that would be similar to the proposed lots. Staff also finds that the proposed lot sizes do not comply with the purpose of the NPO-RNP overlay and the RS20 Zone. Many of the reduced lots would not be suitable for agricultural and animal uses and would not maintain the rural character of the area. Finally, staff finds that, since this subdivision could be designed with fewer lots to allow all lots to meet the minimum lot size, this request is a self-imposed hardship. For these reasons, staff cannot support these waivers of development standards.

### Waiver of Development Standards #3

The purpose of minimum front setbacks is to provide for a safe distance of homes from the adjacent street and to prevent a canyoning effect of structures along the street, as well. Even though the surrounding developments have a similar placement of homes with similar setbacks to the street, staff finds that there are alternatives that could be proposed to allow a reduction in setbacks which would create a varied streetscape. For these reasons, staff cannot support this request.

### Waivers of Development Standards #4 & #6

Staff finds that the proposed gated community should not impact the surrounding neighborhood nor the rural feel of the Lone Mountain area, as this portion of Lone Mountain contains several gated communities, with many only containing 4 lots. In addition, the gated subdivision should also help to provide a safer street network within the subdivision. Finally, while staff finds that the gates will be sufficiently set back, the proposed reduction in the call box setback could result in the queuing of cars that could impact traffic on Fort Apache Road and create unsafe conditions due to the number of lots within the subdivision. Although, staff has no objection to waiver of development standards #4, staff recommends denial of both waivers as staff cannot support waiver of development standards #6.

### Waiver of Development Standards #5

Staff finds that the purpose of providing street landscaping is to provide necessary shading for nearby street and sidewalk infrastructure. Staff finds that in this area there is a general lack of both sidewalks and landscaping. In addition, the applicant is providing landscaping along all streets and in the appropriate number, size, and locations. The provision of this landscaping should help to shade surrounding areas and reduce possible impacts from the heat island effect. In addition, 6 feet is a standard landscape strip size when curb, gutter, and sidewalk are not installed. In general, staff finds that the amount of landscaping being provided is sufficient and in the correct locations for the best benefit. With that said, staff finds that like the other waivers being requested, the site could have been designed to meet the required landscaping strip width and avoid the need for this request. Since this waiver is the result of a self-imposed hardship, staff is unable to 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.

Staff finds that the proposed residential use is similar in character to other developments within the area. In addition, the proposed development will also help to activate an unused area and act as an in-fill development in the area. In terms of the design of the proposed residences, staff finds that the proposed architecture and garage styles are like the surrounding residential developments and are consistent with newer development designs. In addition, the proposed designs are attractive, modern, and fit the aesthetics of the newer homes in the Ranch Estate Neighborhoods of Lone Mountain. Each lot is provided with sufficient access to the internal and

external street systems and on-site parking is well provided to avoid issues that can arise from on-site parking. With that said, staff is concerned that some design choices, such as the reduction in the front setback and the reduced lots sizes could lead to increased impacts on surrounding properties and those within the subdivision without any additional mitigation provided. In addition, staff finds that the reduced net lot area could cause future undue burdens for those living in the subdivision and could inhibit the future use of these lots for the rural activities that are expected within the Ranch Estate Neighborhoods. While staff finds that the proposed subdivision supports Master Plan Policies 1.3.1, 1.4.4, and 1.5.1 and Lone Mountain Specific Policies LM-1.2 and LM-1.3, which all support the development of compatible and continuous rural estate developments within in-fill areas of existing Ranch Estate Neighborhoods and Rural Neighborhood Protection Areas; the proposed development is inconsistent with Master Plan Policies 1.3.5 and 1.5.3 and Lone Mountain Specific Policy LM-1.4, which emphasize the development of neighborhoods which protect the traditional rural activities within the NPO-RNP and Ranch Estate Neighborhood areas and which foster the development of neighborhoods with lots which contain at least 20,000 square feet in area. Additionally, the subdivision design is inconsistent with the Lone Mountain Interlocal Agreement. For these reasons, staff is unable to support this request.

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

#### Waiver of Development Standards #7

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

#### Waiver of Development Standards #8

Staff cannot support the request to not have a turnaround on Hickam Avenue. Traffic will have to perform a multi-point U-turn in the right-of-way creating potential collisions.

#### Waiver of Development Standards #9

Staff cannot support the request to not provide a knuckle on Cuevas Avenue and Manari Avenue and Lethem Avenue and Manari Avenue. Knuckles are important to give drivers better visibility when traveling with homes and vehicles parking along the curve of the street.

### **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 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Coordinate with Public Works - Design Review for approved turnarounds for Hickam Avenue and Helena Avenue;
- Right-of-way dedication to include 40 feet for Craig Road, 30 feet for Chieftain Street, 50 feet for Fort Apache Road, 18 feet for Hickam Avenue, and associated spandrels.

### **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; and that an interlocal agreement with City of Las Vegas will also be required.

**TAB/CAC:** Lone Mountain - denial.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TEMPLETON DEVELOPMENT

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