08/05/26 BCC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-26-0348-GAROFALO, JASON & KELLY:

AMENDED WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a gated community; **2)** reduce access gate setback (no longer needed); **3)** reduce call box setback; **4)** allow modified driveway design standards; and **5)** reduce call box median width in conjunction with an existing single-family residential subdivision on 1.97 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located north of Solar Avenue and east of Conquistador Street within Lone Mountain. AB/bb/kh (For possible action)

RELATED INFORMATION:

APN:
125-18-401-044 through 125-18-401-047

WAIVERS OF DEVELOPMENT STANDARDS:
1. Allow a gated community within the Neighborhood Protection (RNP) Overlay area where not permissible per Section 30.02.26F.
2. Reduce the access gate setback to 28 feet where 50 feet is required per Section 30.04.03 (a 43% reduction) (no longer needed).
3. Reduce distance from the property line to the call box to 25 feet where 50 feet is required per Uniform Standard Drawing 222.1 (a 50% reduction).
4. Reduce driveway width to 44 feet where 48 feet is required per Uniform Standard Drawing 222.1 (an 8% reduction).
5. Reduce call box median width to 3 feet where 4 feet is required per Uniform Standard Drawing 222.1 (a 33% reduction).

LAND USE PLAN:
LONE MOUNTAIN - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: 9760, 9770, 9780, & 9790 Solar Avenue
- Site Acreage: 1.97
- Project Type: Access gate
- Building Height (Feet): 7 feet (gate and fences)

Site Plan
The plans depict the existing single-family detached subdivision on 1.97 acres at the northeast corner of Conquistador Street and Solar Avenue consisting of 4 lots. The homes are accessed from Solar Avenue by a 47.5 foot wide private cul-de-sac street. The plan depicts a new 24 foot wide access entry gate, and 1 call box median. The plans show the access gate will be set back 55 feet from the lip of gutter where 50 feet is required. The call box is located 25 feet from the south property line.

Elevations
Existing decorative walls are located adjacent to Solar Avenue, with wing walls extending to the east and west sides of the proposed gate. Seven foot high decorative fences will connect the proposed gate to the existing walls.

The elevations depict a 7 foot high double-swing gate with a decorative horizontal flat-bar screen design. The gate will open northward into the subdivision. Each side of the gate will be attached to a 6 inch by 6 inch column post with hinges, with associated mechanical equipment located on the north side of the gate.

Applicant's Justification
The applicant is requesting to construct gated access to the existing 4 lot subdivision known as Kensington Manor north of Solar Avenue and east of Conquistador Street. The proposed gate will be 48 feet from the south property line, 55 feet from the lip of gutter, and a 16.4 foot space between the gate and call box median. Several waivers are requested to locate the gate closer to the south property line to avoid conflicts with existing private home driveways, utilities, and general circulation within the neighborhood. Strict adherence to the current design standard for entry gates would create practical difficulties and unnecessary disruption to the existing development. The proposed gate design is like other developments in this area of the Lone Mountain neighborhood. The gate design will be compatible with existing decorative walls and neighborhood character. The gate will not interfere with public right-of-way operations, sight distance, or emergency access. The gate is designed for all applicable fire department and traffic engineering standards. Adequate vehicle stacking and clear visibility will be maintained to ensure safe ingress and egress. A queuing analysis was provided to Public Works and the fire department was consulted on the latest design of the proposed gate. The proposed gate will enhance security and safety for residents.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0352	Waiver of development standards to increase finished grades	Approved by BCC	December 2020
VS-20-0314	Vacate and abandon government patent easements	Approved by PC	August 2020
ZC-0296-01	Zone change to reclassify a variety of sites, including the subject parcel, to R-E (RNP-I) zoning	Approved by BCC	August 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, East, West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential

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 NPO-RNP standards are intended to protect the established rural character of the areas within the overlay, and Section 30.02.26F specifically states that gated communities are not permissible within the overlay. For these reasons, staff would not typically support a request for gated access within the NPO-RNP overlay. However, there are several gated subdivisions in close proximity to the subject site, also within the NPO-RNP overlay. These subdivisions appear to have been established before the update to Title 30 that made gated communities not permissible within the overlay. Based on the surrounding development pattern, staff could support the request. However, because staff does not support the remaining waiver requests, staff recommends denial.

Waiver of Development Standards #2
No longer needed.

Public Works - Development Review
Waivers of Development Standards #3, #4, & #5
The reduction in throat depth to the call box, driveway width and island median width for the driveway on Solar Avenue reduces the safety of vehicles entering the community and will cause stacking in the right-of-way. It is difficult to retrofit a gate as the subdivision was previously approved without one. Lastly, it is imperative that traffic can flow without the interruption of vehicles attempting to access the community. Therefore, staff cannot support this request.

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:

- 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

- Traffic study and compliance.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Lone Mountain - approval.
APPROVALS:
PROTESTS:

APPLICANT: JASON GAROFALO
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