

SINGLE FAMILY RESIDENTIAL DEVELOPMENT
(TITLE 30)

PACIFIC ST/VIKING RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0426-MAKUTA, MARZENA & BOWN, KEN:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate street landscaping; **2)** waive water connection; **3)** waive sanitary sewer service connection; and **4)** off-site improvements in conjunction with a residential minor subdivision on 0.5 acres in an R-1 (Single Family Residential) (RNP-III) Zone.

Generally located on the west side of Pacific Street, 185 feet north of Viking Road within Paradise. TS/md/syp (For possible action)

RELATED INFORMATION:

APN:

162-13-301-015; 162-13-301-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping including the detached sidewalk along Pacific Street where landscaping and detached sidewalks are required per Section 30.64.030 and Figure 30.64-17.
2. Waive the requirement for public water service connection where required per Sections 30.52.040 and 30.52.100.
3. Waive the requirement for public sanitary sewer service connection where required per Sections 30.52.040 and 30.52.110.
4. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Pacific Street where required per Chapter 30.52.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 3869 Pacific Street
- Site Acreage: 0.5
- Number of Lots: 2
- Minimum/Maximum Lot Size (square feet): 9,108/10,032
- Project Type: Single family residential development

Site Plans

The plans depict a single family residential development consisting of 2 lots on 0.5 acres. Lot 1, located to the south, measures 10,032 square feet and Lot 2, located to the north measures 9,108 square feet. Lot 1 features an existing 1 story single family residence with the following setbacks: 1) 20 feet from the east property line adjacent to Pacific Street; 2) 20 feet from the south property line; 3) 23.5 feet from the west property line; and 4) 7.5 feet (proposed) from the north property line adjacent to Lot 2. Access to Lot 1 is granted via an existing driveway along Pacific Street. Lot 2 will be developed at a future date and will also have access from Pacific Street.

Landscaping

The interior of the subject property features a variety of trees intermittently dispersed throughout the site. A waiver of development standards is requested to not construct the required detached sidewalks and install the required street landscaping along Pacific Street.

Applicant's Justification

The applicant states there are no curbs or sidewalks on the west side of the street, adjacent to the proposed lots. Adding curbs and sidewalks on the lots would create an unsightly and confusing curb and sidewalk "island". After the parcel map is recorded, the applicant intends on selling Lot 2. Until a builder has chosen a home design and know its orientation on the lot, the best location for utilities and the driveway is unknown. The future owner of the lot will be responsible for satisfying development and utility requirements when they construct a single family residence. The applicant indicates the cost of connecting to water and sewer utilities for Lot 2 is extremely expensive.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0658-00	Reclassified the project site and the surrounding parcels from R-1 to R-1 (RNP-III) zoning district	Approved by BCC	July 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 (RNP-III)	Single family residential

Related Applications

Application Number	Request
MSM-22-600072	A minor subdivision for 2 single family residential lots is currently in process for the project site.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Waiver of Development Standards #1

Staff typically does not support requests to eliminate street landscaping requirements. The request to eliminate street landscaping along Pacific Street will allow the site to match the existing developments within the immediate area. Therefore, staff can support this request.

Waivers of Development Standards #2 & #3

According to Title 30, water service shall be provided to all developments when the development is within the required distance to water and sewer. Due to the location of this site, water and sewer service are required at the time of the development, which includes the parcel map process. Connecting developments into existing public water and sewer service helps to ensure that the development will continuously have a safe and reliable water and sewer supply. The project site is within the connection distance to municipal utility lines; therefore, staff does not support these requests.

Public Works - Development Review

Waiver of Development Standards #4

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. Also, there are full off-sites across the street and to the north of this site. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Staff Recommendation

Approval of waiver of development standards #1; denial of waivers of development standards #2, #3, and #4.

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 to obtain appropriate water rights and necessary permits from the Nevada Department of Resources for use of a private well; obtain approval from the

Southern Nevada Health District for use of a private septic system; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Right-of-way dedication to include 30 feet for Pacific Street;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval (water and sewer permits must be obtained when any new owner/developer applies for building permits).

APPROVALS:

PROTESTS:

APPLICANT: MARZENA HMAKUTA

CONTACT: KENNETH BOWN, 3869 PACIFIC STREET, LAS VEGAS, NV 89121