

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400023 (WS-21-0701)-TCB ENTERPRISES NV, LLC SERIES FORT APACHE:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for the following: **1)** reduce lot area; **2)** reduce setbacks; **3)** reduce street intersection off-set; and **4)** alternative driveway geometrics.

DESIGN REVIEW for a single-family residential subdivision on 3.90 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located west of Fort Apache Road and north of Lone Mountain Road within Lone Mountain. AB/rr/kh (For possible action)

RELATED INFORMATION:

APN:

125-31-803-007

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce net lot area to 11,484 square feet where 18,000 square feet is the minimum per Table 30.40-1 (a 36% reduction).
2. Reduce the rear yard setback to 15 feet where 30 feet is the minimum per Table 30.40-1 (a 50% reduction).
3. Reduce street intersection off-set to 74 feet where 125 feet is the minimum per Section 30.52.052 (a 41% reduction).
4. Reduce throat depth to 25 feet where 50 feet is the minimum per Uniform Standard Drawing 222.1 (a 50% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.9
- Project Type: Single-family residential subdivision
- Number of Lots: 6
- Density (du/ac): 1.5
- Gross Minimum/Maximum Lot Size (square feet): 22,225/30,108
- Net Minimum/Maximum Lot Size (square feet): 11,484/20,735

History

A tentative map (TM-21-500197), waivers of development standards and a design review (WS-21-0701), and a vacation (VS-21-0702) for a single-family residential development were approved for this site in February 2022 by the Board of County Commissioners, to commence by February 2, 2026. The tentative map has since expired and cannot be extended. A new tentative map is in process and is a companion item on this agenda. VS-21-0702 has been extended by 2 administrative extensions of time, ADET-24-900059 and ADET-26-900062, with the expiration date now being February 2, 2028. This request is the first extension of time for WS-21-0701.

Site Plan

The approved plans depict a 6 lot single-family residential subdivision with a gated 54 foot wide private drive entrance from Verde Way on the north side of the site. The private drive transitions to 39 feet wide and terminates in a cul-de-sac near the southern portion of the site. A power pole will remain at the northwest corner of Fort Apache Road and Lone Mountain Road (southeast corner of the subject site), and a gated 30 foot wide public utility easement will connect from the cul-de-sac to Lone Mountain Road. All 6 lots are proposed to be accessed from the internal private street.

The waivers of development standards that were approved with the original application include reduced net lot area and reduced rear yard setbacks. The reduced net lot areas apply to Lots 3 and 4, located in the southern portion of the site, and the reduced rear setback applies only to Lot 3. A waiver of development standards was also approved to reduce the street intersection off-set for the entrance to the subdivision and the intersection of Verde Way and Fort Apache Road. Lastly, a waiver of development standards was approved to reduce the throat depth for the gated access to the subdivision.

Landscaping

The approved plans depict a 6 foot wide landscape strip along Verde Way, Fort Apache Road, and Lone Mountain Road, excluding the street frontage around the power pole easements and sight visibility zones. Also, a 6 foot wide landscape strip is included on either side of the gated entrance from Verde Way.

Elevations and Floor Plans

Elevations and floor plans were not submitted as part of the original request because the development was proposed to consist of custom and semi-custom homes.

Signage

Signage was not a part of the original request.

Previous Conditions of Approval

Listed below are the approved conditions for WS-21-0701:

Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that 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 4 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 30 feet for Verde Way and associated spandrel;
- Applicant shall coordinate with Public Works - Development Review to apply for a BLM right-of-way grant for Verde Way.

Building Department - Fire Prevention

- 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; and that fire/emergency access must comply with the Fire Code.

Applicant's Justification

The applicant has made significant progress toward completion of the project. A drainage study was reviewed and approved, traffic mitigation requirements have been approved, BLM right-of-way has been approved, a restrictive covenant has been recorded, street names were approved, and a final map has been approved to mylar. These approvals demonstrate the applicant's continued diligence and commitment to advance the project in compliance with all applicable regulations and conditions of approval. The remaining items require additional time for agency coordination and final approvals, which are currently underway.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-21-500197	Tentative map approved for a 6 lot single-family residential subdivision - expired	Approved by BCC	February 2022
VS-21-0702	Vacation and abandonment of easements	Approved by BCC	February 2022
WS-21-0701	Waivers of development standards and a design review for a single-family residential subdivision	Approved by BCC	February 2022

Surrounding Land Use

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

Related Applications

Application Number	Request
TM-26-500044	A tentative map for a 6 single-family residential lot 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

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that no substantial changes have occurred on the subject site or on surrounding properties, or any change in the laws, regulations, or policies affecting the subject property that would warrant the denial of the first extension of time request. The applicant has made progress since the project was approved in February 2022. This includes review and approval of a drainage study (PW21-15072) and traffic study (PW-22-10342). Since this is the first extension of time, staff can support this request. However, since the approval of this application a revised Title 30 was adopted, therefore this is the last extension staff will support.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

- 4 years to commence to coincide with the expiration of TM-26-500044 or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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 the application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

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:

PROTEST:

APPLICANT: TCB ENTERPRISES NV, LLC SERIES FORT APACHE

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