

05/03/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENCE  
(TITLE 30)

DESPERADO ST/FARM RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0127-XIE YUNDI:**

**AMENDED WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** street landscaping; **2)** off-site improvements (curb, gutter, sidewalk, partial paving and streetlights); and **3)** waive sewer connection (no longer needed) on 1.2 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the northeast corner of Desperado Street and Farm Road within Lone Mountain. MK/sd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

125-15-606-006

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Eliminate street landscaping along Farm Road where landscaping and a detached sidewalk are required per Figure 30.64-17 (a 100% reduction).
2. Waive off-site improvements (curb, gutter, sidewalk, partial paving, and streetlights) along Farm Road where required per Chapter 30.52.
3. Waive connection to a public sewer service within 1,250 feet of a public water line where required per Title 30.52.100 (no longer needed).

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 7026 Farm Road
- Site Acreage: 2
- Number of Lots/Units: 2
- Project Type: Single family residential

Site Plans

The plans depict a proposed minor subdivision with 2 lots on 2 acres located within the rural preservation area (RNP-I). The applicant is planning on subdividing this parcel into 2 parcels of

equal size. The proposed Lot 1 (north side) and Lot 2 (south side) will each be approximately 1 acre in area. Access to the properties will be from Desperado Street with partial circular driveways and will include a block wall at 6 feet in height between each residence.

Landscaping

The application has a waiver to eliminate street landscaping per Figure 30.64-17. The plans state proposed landscaping within the site will consist of Geoffroea Decoricans with a final landscape plan submitted with final plans for building permits. The applicant states that shrubbery will not be planted within the sight visibility zone along the front property lines and will include landscape rock which will provide for dust control. Landscaping is going to be drought tolerant trees and shrubs.

Elevations and Floor Plans

The applicant has stated these will be custom built homes and elevations will be provided at time of permitting.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that none of the existing developed parcels on the north side of Farm Road have street improvements or detached sidewalks with landscaping. Requiring street improvements would not preserve the rural nature of this property and not maintain the continuity of the north side of Farm Road between Jones Boulevard and Tenaya Way. When the application was submitted over a year ago, it included the soils reports, drainage study, land surveying/mapping, and the setting of monuments. A preliminary cost analysis has shown that adding the substantial projected costs of the requested off-site improvements into the construction budget would render the project financially unfeasible, when added to the cost of the vacant land, the cost per square foot to build the houses, landscaping, and utility connections.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0296-01	Reclassified various parcels from R-U and R-E to R-E (RNP-I) zoning	Approved by BCC	September 2001

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped
South	City of Las Vegas	R-E	Single family residences

**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

Typically, staff does not support such requests to eliminate the detached sidewalk and street landscaping requirements. While the existing street patterns along Farm Road currently do not have any street landscaping, a detached sidewalk provides a safer environment for pedestrians. Staff finds the design is not consistent with the Figure 30.64-17; therefore, staff recommends denial.

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

#### Waiver of Development Standards #2

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 existing off-site improvements to the south of this property. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

### **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 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 2 years of approval date or it will expire.

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

- Comply with approved drainage study PW21-18498;

- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs, applicant is advised 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.

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

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** YUNDI XIE

**CONTACT:** CHERYL ZIMMER, 6144 GRAND TETON DRIVE, LAS VEGAS, NV 89131