

11/06/24 BCC AGENDA SHEET

**PUBLIC HEARING**

**APP. NUMBER/OWNER/DESCRIPTION OF REQUEST**

**WS-24-0484-MARQUEZ FAMILY TRUST ETAL & MARQUEZ, CHRISTIAN & GABRIELA TRS:**

**WAIVER OF DEVELOPMENT STANDARDS** for off-site improvements (streetlights, curb, gutter, and sidewalk) in conjunction with a single family subdivision on 2.07 acres in an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the south side of Eldorado Lane and the east side of Placid Street within Enterprise. MN/nai/kh (For possible action)

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**RELATED INFORMATION:**

**APN:**

177-09-603-003

**WAIVER OF DEVELOPMENT STANDARDS:**

1. a. Waive off-site improvements (streetlights, curb, gutter, and sidewalk) along Eldorado Lane where required per Section 30.04.08C.
- b. Waive off-site improvements (streetlights, curb, gutter, and sidewalk) along Placid Street where required per Section 30.04.08C.

**LAND USE PLAN:**

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 325 E. Eldorado Lane
- Site Acreage: 2.07
- Project Type: 3 lot subdivision

Site Plan

The plan indicates a previously approved project on 2.07 acres that will be subdivided into 3 separate parcels. Lot 3 is on the northeast side of the subdivision and gets access from Eldorado Lane. Lot 1 and 2 are located on the northwest and south sides of the subdivision respectively and get access from Placid Street.

The plan shows a 6 foot CMU block wall will be installed to separate all 3 parcels. Also, there is an existing paving and driveway, that runs through Lots 2 and 3, along the east property line that will be demolished. This request is to waive the required off-site along the streets.

Applicant’s Justification

The applicant is requesting a waiver of development standards for full off-site improvements and street landscaping. They indicate they are in an NPO-RNP overlay and are matching the aesthetics of the surrounding parcels.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-23-0734	Waiver of development standard for water connection and to waive sanitary sewer service connection in conjunction with a single-family residential subdivision	Approved by PC	December 2023
WS-23-0256	Waived street landscaping in conjunction with a single-family residential development	Approved by PC	June 2023
VS-0239-09	Vacated and abandoned easements of interest located between Eldorado Lane and Maulding Avenue (alignment), and between Placid Street and Fairfield Avenue	Approved by PC	May 2009
ZC-1026-05	Reclassified 3,800 parcels from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
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**

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.

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

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. Furthermore, there are existing off-sites to the north of the site. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

### **Department of Aviation**

The property lies just outside the AE-60 (60-65 DNL) noise contour for the Harry Reid International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the Harry Reid International Airport facilities to meet future air traffic demand.

### **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**

- Execute a Restrictive Covenant Agreement (deed restrictions).

#### **Department of Aviation**

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at [landuse@lasairport.com](mailto:landuse@lasairport.com) is strongly encouraged; that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

**Fire Prevention Bureau**

- No comment.

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0401-2023 to obtain your POC exhibit; and that wastewater flow rates that exceed CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CIVILWORKS, INC.

**CONTACT:** CIVILWORKS INC, 4945 W. PATRICK LANE, LAS VEGAS, NV 89118