

12/04/24 BCC AGENDA SHEET

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0551-WJB NV, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive off-site improvements (curb, gutter, streetlights, and sidewalks); and **2)** allow an attached sidewalk on 9.04 acres in a RS20 (Residential Single-Family 20).

Generally located on the south side of Russell Road and the east side of Gateway Road within Paradise. JG/bb/kh (For possible action)

RELATED INFORMATION:

APN:

161-31-503-018; 161-31-503-019

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Waive off-site improvements (curb, gutter, streetlights, and sidewalks) along Gateway Road where off-site improvements are required per Section 30.04.08.
- b. Waive off-site improvements (curb, gutter, streetlights, and sidewalks) along Lamb Boulevard where off-site improvements are required per Section 30.04.08.
2. Allow existing attached sidewalk and waive off-site improvements (detached sidewalks) along Russell Road where off-site improvements are required per Section 30.04.08.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 5840 S. Gateway Road
- Site Acreage: 9.04
- Project Type: Subdivision
- Number of Lots: 2
- Density (du/ac): 0.22
- Minimum/Maximum Lot Size (square feet): 40,381/353,707

Site Plan

This application is required due to a proposed minor subdivision map change to the interior property line. The map will change the existing 2 parcels from 4.34 acre and 4.71 acre parcels to an 8.12 acre parcel (Parcel 1), and 40,381 square foot parcel (Parcel 2). The western parcel (Parcel 1) has existing driveway access to Gateway Road, and the eastern parcel (Parcel 2) has existing driveway access to Lamb Boulevard. Both parcels have existing principal single-family

residential homes that will meet existing setbacks. Parcel 1 has 2 accessory living quarters in addition to the principal residence. The 524 square foot and 896 square foot accessory living quarters were previously approved by UC-0512-14. The applicant is requesting a waiver to eliminate off-site improvements.

Landscaping

No changes are proposed to the existing and extensive perimeter landscaping. The owner is changing the configuration of the existing 2 parcels with no changes proposed to the existing perimeter walls along Lamb Boulevard, Gateway Road, and Russell Road. Large mature trees straddle the existing walls along Russell Road and Gateway Road. A wide area of extensive landscaping, mature trees and decorative rock features with an existing decorative wall is located adjacent to Lamb Boulevard. Existing landscaping along Gateway Road and Lamb Boulevard meet or exceed the minimum 6 foot wide landscape width and required number of trees.

Applicant’s Justification

The applicant is requesting to waive full off-sites in conjunction with a minor subdivision map to reconfigure 2 existing parcels. The parcels include APNs 161-31-502-018 and 161-31-502-019 and are zoned RS20. The applicant submitted a minor subdivision map to amend the property lines between the 2 parcels. Off-site improvements are required due to the proximity to Russell Road and existing off-sites on the north end of the property. The applicant is requesting to waive off-site improvements on Gateway Road and Lamb Boulevard, since there is no proposed new development. No new detached sidewalks are proposed, and no construction is proposed with this request.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0512-14	Second accessory apartment and wall	Approved by PC	July 2014
WS-0805-13	Off-site improvements and drainage study	Approved by BCC	February 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Neighborhood Commercial & Ranch Estate Neighborhood (up to 2 du/ac)	RS5.2 & RS20	Single-family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential
West & East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential & undeveloped

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

Public Works - Development Review

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

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. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Waiver of Development Standards #2

Staff cannot support the request to not install detached sidewalks along Russell Road. Detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

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

- Applicant to remove landscaping in right-of-way on Lamb Boulevard and Gateway Road.

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 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: WJB NV, LLC

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