

06/17/26 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-26-400038 (NZC-22-0005)-KAVISON HOMES, LLC:

ZONE CHANGE SECOND EXTENSION OF TIME to reclassify 1.3 acres from an R-E (Rural Estates Residential) Zone to an R-3 (Multi-Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased building height; and **2)** reduced street landscaping.

DESIGN REVIEW for a proposed multi-family residential development.

Generally located east side of Pecos Road and the south side of Oquendo Road (alignment) within Paradise. JG/rk/cv (For possible action)

RELATED INFORMATION:

APN:

161-31-201-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase building height to 40.5 feet where a maximum of 35 feet is permitted per Table 30.40-3 (a 16% increase).
2. Reduce street landscaping behind an attached sidewalk on an arterial street (Pecos Road) to 10 feet where 15 feet is required per Section 30.64.030 (a 33% reduction).

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5904 S. Pecos Road
- Site Acreage: 1.3
- Number of Units: 22
- Density (du/ac): 17.5
- Project Type: Multi-family residential development
- Number of Stories: 3
- Building Height (feet): Up to 40.5
- Open Space Required/Provided: 8,800/11,950
- Parking Required/Provided: 58/58

Site Plan

The original plans depict a gated multi-family residential development that is adjacent to an existing R-3 zoned senior housing complex to the east and south. The complex will provide 3 bedroom units and 2 car garages. There will be 1 point of access to the development from Pecos Road to the west. More specifically, the plans depict 22 dwelling units within three, 3 story buildings, surrounding a dog park with parking on 3 sides. The site is 1.3 acres with a density of 17.5 dwelling units per acre. The setbacks of the buildings are as follows: 20 feet to the north property line; 20 feet to the south property line; 15 feet to the east property line; and 15 feet to the west property line (Pecos Road). Internal circulation within the project consists of 24 foot to 31 foot wide drive aisles. A swimming pool is located in the southeastern portion of the site. Parking will consist of garage and surface parking spaces for both residents and visitors.

Landscaping

The original street landscape area is shown at a width of 10 feet along Pecos Road behind an existing 5 foot wide attached sidewalk, necessitating the waiver request. The north, south, and east perimeters of the site depict 6 foot to 10 foot wide landscape buffers. Screening consists of a 6 foot high decorative wall along the perimeter of the development. Interior to the site, open space and landscaping are equitably distributed throughout the development and consist of active and passive open space areas which include a swimming pool, gazebo, dog park area, and open space walking path around the perimeter of the development. The amount of passive and active open space is depicted at 11,950 square feet where 8,800 square feet is required.

Elevations

The residential buildings are 3 story structures with a maximum height of 40.5 feet. However, the general ridgeline of the roof is 34.5 feet in height. The plans depict enhanced architecture on each side of the buildings consisting of pop-outs, recesses, window fenestrations, and other enhancements to break-up the vertical and horizontal surfaces of the buildings. Additionally, a roof top deck is shown above the penthouse level of each unit.

Floor Plans

There will be a total of 3 buildings with Buildings 1 and Building 3 having 8 units and Building 2 having 6 units. The residential units are 3 stories, 2,045 square feet in area and will have 3 bedrooms and a 2 car garage.

Previous Conditions of Approval

Listed below are the approved conditions for NZC-22-0005:

Current Planning

- Resolution of Intent to complete in 3 years;
- 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 new application for a nonconforming zone boundary amendment may be required in the event the building program and/or conditions of the subject application are proposed to be modified

in the future; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), provide a typical 5 foot by 25 foot bus shelter pad easement behind the sidewalk on Pecos Road between the proposed driveway and the southern property limit.
- Applicant is advised that the egress gates will need to be redesigned so they do not block the turnaround area.

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 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

- Applicant is advised to provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features; that fire/emergency access must comply with the Fire Code as amended; and 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.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised that there is an active septic permit on APN 161-31-201-001; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0183-2021 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Listed below are the approved conditions for ADET-25-900291 (NZN-22-0005):

Current Planning

- Until April 6, 2026 to complete, to match the expiration date of NZC-22-0005.

- Applicant is advised that the application must complete/commence by the stated date 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.

Applicant’s Justification

According to the applicant they are currently in the process of finalizing project plans and may consider modifications to the previously approved plans to align with changing market demands. To allow additional time to develop and incorporate changes, the applicant respectfully requests a 2 year extension of time.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|---|-----------------|---------------|
| TM-25-500218 | Tentative map consisting of 22 multi-family dwelling units on 1.3 acres | Approved by PC | February 2026 |
| AV-25-900296 | Revised plans for NZC-22-0005 | Approved by ZA | June 2025 |
| ADET-25-900291 (NZC-22-0005) | First extension of time of a NZC for a multi-family residential development | Approved by ZA | June 2025 |
| NZC-22-0005 | Non-conforming zone change multi-family residential development | Approved by BCC | April 2022 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|--------------|---------------------------------------|----------------------------------|---|
| North | Neighborhood Commercial | C-P & RS20 | Office building & single-family residential |
| South & East | Compact Neighborhood (up to 18 du/ac) | RM18 | Senior housing apartment complex |
| West | Compact Neighborhood (up to 18 du/ac) | RM18 | 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

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.

The project was administratively extended for one year and the applicant indicates that additional time is needed to complete the project. Given this is the first extension of time to come back before the Board, and that the applicant is currently considering modifications to the previously approved plans to align with changing market demands, staff can support this request for 3 additional years to complete the project (to satisfy the ROI) to allow time to develop and incorporate changes. However, this is the last extension staff will support.

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

- Until April 6, 2029 to complete 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 161-31-201-001; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval.

APPROVALS:

PROTEST:

APPLICANT: KAVISON HOMES, LLC

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