

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0838-BANYAI, PETER:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow attached sidewalks; and **2)** reduce the street intersection off-set.

DESIGN REVIEW for a proposed single-family residential development on 1.12 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located north of Smoke Ranch Road and west of Apricot Lane within the Lone Mountain planning area. WM/rr/kh (For possible action)

RELATED INFORMATION:

APN:

138-13-801-069; 138-13-801-072

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow attached sidewalks to remain along Smoke Ranch Road where detached sidewalks are required per Section 30.04.08C.
2. Reduce the street intersection off-set between a proposed private street and Smoke Ranch Road to 38.96 feet where a minimum of 125 feet is required per Section 30.04.08F (a 69% reduction).

PROPOSED LAND USE PLAN:

LONE MOUNTAIN - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 2425 Apricot Lane & 5220 Smoke Ranch Road
- Site Acreage: 1.12
- Project Type: Single-family residential
- Number of Lots: 8
- Density (du/ac): 7.14
- Minimum/Maximum Lot Size (square feet): 5,215/6,925 (gross) 4,106/5,283 (net)
- Number of Stories: 2
- Building Height (feet): 31 (maximum)
- Square Feet: 2,355
- Parking Required/Provided: 18/18

Site Plans

The plans depict a proposed 8 lot single-family detached residential development. The overall site is 1.12 acres with a proposed density of 7.14 dwelling units per acre. All lots will be accessed from a proposed private street that is oriented west to east which will connect to Apricot Lane, an existing 30 foot wide residential local street on the east side of the site. The private street is located 38.96 feet north of the intersection of Smoke Ranch Road and Apricot Lane. The proximity of the private street to the intersection is the subject of a waiver. Each lot for the proposed future subdivision will be accessed from a driveway exceeding 20 feet in length.

Detached 5 foot wide sidewalks are proposed along the west side of Apricot Lane. There are existing attached sidewalks along the north side of Smoke Ranch Road. The private street, which features a 4 foot wide sidewalk on the south side, is proposed to terminate in a hammerhead turnaround. Existing attached sidewalks are proposed to remain along Smoke Ranch Road, which is the subject of a waiver.

Landscaping

The plans depict proposed street landscaping along Apricot Lane consisting of two, 5 foot wide landscape strips on each side of a 5 foot wide detached sidewalk. The plans indicate 8 medium Desert Willow trees proposed to be planted 20 feet on center within the interior landscape strip due to the sight visibility zones preventing their planting in the landscape strip located between the sidewalk and the curb. A 10 foot wide landscape strip is proposed behind the attached sidewalk along Smoke Ranch Road. The plans indicate 10 medium Desert Willow trees proposed to be planted 20 feet on center within the landscape strip. Three species of 5-gallon shrubs are also provided within all landscape strips. No trees or shrubs taller than 24 inches are proposed to be planted within the site visibility zones.

Elevations

The plans show one, 2 story model for the proposed single-family detached homes. The building height is proposed to be 30 feet 3 inches above the finished grade. The plans show concrete tile roofs with the exterior building materials consisting of a 3 coat stucco finish, decorative tile, variable rooflines, and popouts around the windows. A 2 car garage is provided for all homes with a single garage door style.

Floor Plans

The plans depict a 2 story home with a single floor plan with 2,355 livable square feet. The plans include 5 bedrooms, several bathrooms, kitchen, living room, flex room, and other features, along with a 2 car garage.

Applicant's Justification

All necessary infrastructure is already in place for the site to be developed with the exception of off-site improvements on Apricot Lane which the owner can install as part of the proposed development. The property lies adjacent to Smoke Ranch Road, a high-capacity collector roadway with public transportation facilities. A waiver is requested to allow an attached sidewalk to remain along Smoke Ranch Road because it has been developed along the road and the neighboring properties. A waiver is also requested to reduce the intersection offset between the private street and Smoke Ranch Road to 38.96 feet where 125 feet is required. The applicant

believes the proposed design meets the requirements and intent of Title 30 because it will provide housing to families and create a small, safe community in the neighborhood.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-24-700022	Plan Amendment from Ranch Estate Neighborhood to Mid-Intensity Suburban Neighborhood - expired	Held by PC	November 2024
ZC-24-0514	Zone Change from RS20 to RS3.3 for residential development - expired	Held by PC	November 2024

Surrounding Land Use

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

Related Applications

Application Number	Request
PA-25-700052	A plan amendment from Ranch Estate Neighborhood (RN) to Mid-Intensity Suburban Neighborhood (MN) is a companion item on this agenda.
ZC-25-0836	A zone change from RS20 to RS3.3 zoning is a companion item on this agenda.
VS-25-0837	A vacation and abandonment of right-of-way being Apricot Lane 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

Waiver 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.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and other architectural and aesthetic features are not unsightly or

undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Master Plan Policy 1.4.4 encourages infill development in established neighborhoods while promoting compatibility with the scale and intensity of the surrounding area. The proposed 2 story homes would be taller than most of the homes in the surrounding RS20 area which includes mostly single-story homes and a few 2-story homes. The specific proposal, at 6.96 units per acre, is also denser than the surrounding RS20 area, which is at 2 units per acre. While a tentative map is not currently provided, the site plan indicates the intent is to provide a hammerhead turnaround for the private street, while a radius cul-de-sac is the County's preferred turnaround within residential subdivisions. Finally, the plans for the proposed single-family development show a single design option, house size, and garage door style for the 8 proposed lots which could have the effect of creating a monotonous streetscape. For these reasons, staff does not support this request.

Public Works - Development Review

Waiver of Development Standards #1

Staff cannot support the request to allow an existing attached sidewalk to remain along Smoke Ranch Road. The site is new construction; therefore, there is no reason a detached sidewalk cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waiver of Development Standards #2

Staff has no objection to the request to reduce the street intersection off-set between Private Drive and Smoke Ranch Road. The proposed subdivision should see a low volume of traffic because of the limited number of lots.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for North Las Vegas Airport (VGT). Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

Staff Recommendation

Approval of waiver of development standards #2; denial of waiver of development standards #1 and the design review. This item has been forwarded to the Board of County Commissioners for final action.

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.

PLANNING COMMISSION ACTION: February 3, 2026 – APPROVED – Vote: Aye: Frasier, Mujica, Kirk, Roitman, Stone Nay: Gibson, Kilarski

Comprehensive Planning

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- 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

- Drainage study and compliance;
- Full off-site improvements;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- Reconstruct any unused driveways with full off-site improvements.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation. The Determination of No Hazard must not be expired.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.
- 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; and 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 funds will not be available in the future should the residents wish to have their homes purchased or soundproofed.

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 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:

APPROVALS: 3 cards

PROTESTS: 22 cards, 4 letters

COUNTY COMMISSION ACTION: March 4, 2026 – HELD – To 04/08/26 – per the Board of County Commissioners.

APPLICANT: PETER BANYAI

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