

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-25-0228-TMC HOLDINGS SERIES-E, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** eliminate landscaping; and **2)** waive full off-site improvements in conjunction with a proposed single-family residential subdivision on 1.03 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located on the north side of Serene Avenue and the west side of McLeod Drive within Paradise. JG/bb/kh (For possible action)

---

RELATED INFORMATION:

**APN:**

177-24-202-008

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Eliminate street landscaping along McLeod Drive where 6 feet of landscaping is required per Section 30.04.01D.7.
- b. Eliminate street landscaping along Serene Avenue where 6 feet of landscaping is required per Section 30.04.01D.7.
2. a. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along McLeod Drive where required per Section 30.04.08.
- b. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Serene Avenue where 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: N/A
- Site Acreage: 1.03
- Project Type: Single-family residential
- Number of Lots/Units: 2
- Density (du/ac): 1.94
- Minimum/Maximum Lot Size (square feet): 22,396/22,468

Site Plan

The plan depicts a 1.03 acre parcel which is proposed to be divided into 2 parcels. Parcel 1 is located to the north and has access to McLeod Drive, where Parcel 2 is located to the south and has frontage on McLeod Drive and Serene Avenue with proposed access to McLeod Drive.

### Landscaping

With the waiver of full off-sites, including detached sidewalks, a 6 foot wide landscape strip is required along McLeod Drive and Serene Avenue. The applicant is proposing to eliminate the required street landscaping along McLeod Drive and Serene Avenue with this application.

### Applicant's Justification

The applicant states this property is adjacent to existing RS20 zoned single-family homes on the west and north sides of the 2 proposed parcels. The City of Henderson is located south of Serene Avenue. The applicant is requesting to waive off-site improvements, including curb, gutter, detached sidewalks, streetlights, and partial paving. The proposed division of 1.03 acres into 2 parcels without a sidewalk, requires a 6 foot wide landscape strip with trees. The applicant is requesting to waive the requirement for street landscaping along McLeod Drive and Serene Avenue. Both parcels have proposed driveways on McLeod Drive since driveways are not permitted along Serene Avenue. The proposed driveways on McLeod Drive have 3 points of access and would not allow for a detached sidewalk. McLeod Drive dead ends at I-215 just north of this property. The off-site improvements are not needed for drainage since the other properties in the area do not have curbs and gutters.

### Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac)	RS20	Single-family residential
South	City of Henderson	RS-2	Single-family residential
East & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20	Single-family residential

### Related Applications

<b>Application Number</b>	<b>Request</b>
VS-25-0229	A vacation of patent easements 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**

##### 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

Developing the site without landscaping is not out of character with the existing neighborhood, but there is an expectation based on the Code requirement to plant trees where possible. Staff also finds that planting the trees with access driveways facing McLeod Drive at 3 points is a limiting factor considering the sight zones; however, there is adequate space for some trees to be planted outside of driveways and sight zones along McLeod Drive, and there is no limiting factor along Serene Avenue that prevents the applicant from planting trees. Therefore, staff cannot support the request.

#### **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. Furthermore, there are existing off-site improvements within the area. Therefore, staff cannot support the waiver of development standards.

#### **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:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- 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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- No access to site from Serene Avenue.
- Applicant is advised that off-site improvement permits may be required for driveways.

**Fire Prevention Bureau**

- No comment.

**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 #0116-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** TMC HOLDINGS SERIES-E, LLC

**CONTACT:** JOSH HARNEY, BAUGHMAN & TURNER INC., 1210 HINSON STREET,  
LAS VEGAS, NV 89102