

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0314-FREI RILEY:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** waive full off-site improvements; and **2)** eliminate the drainage study in conjunction with a proposed minor subdivision on 1.13 acres in an RS5.2 (Residential Single-Family RS5.2) Zone.

Generally located north of Bonelli Avenue and west of Andersen Street within Moapa Valley.
MK/sd/cv (For possible action)

RELATED INFORMATION:

APN:

070-13-204-011 through 070-13-204-013

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Bonelli Avenue where required per Section 30.04.08C.
 - b. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Andersen Street where required per Section 30.04.08C.
 - c. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Cox Avenue where required per Section 30.04.08C.
2. Eliminate the drainage study where required per Section 30.04.08B.

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - MID-INTENSITY SUBURBAN
NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 320 Bonelli Avenue
- Site Acreage: 1.12
- Project Type: Single-family residential
- Number of Lots: 3

Site Plan

The site plan depicts a proposed 3 lot parcel map located south of Cox Avenue, west of Andersen Street, and north of Bonelli Avenue within Moapa Valley. Lot 1 is on the southern half of the site, and Lot 2 and Lot 3 are on the northern half of the site. The plans also show an existing residence on Lot 1 and a proposed residence on Lot 3. The requested waivers of development

standards for a drainage study and full off-site improvements is a requirement related to an active parcel map (MSM-25-600067).

Landscaping

Per the applicant, all required street landscaping will be installed and meet Title 30 standards at the time of permitting.

Applicant's Justification

The applicant states the requested waiver to off-site improvements will keep the rural character of the immediate area and could result in improvements that may not connect to any existing infrastructure. As for drainage study the applicant has stated they are not increasing the number of parcels in the immediate area and only adjusting boundary lines. The current zoning will not change or increase density. No grading will be performed within the right-of-way that would obstruct storm water flows in Cox Ave and Anderson Street.

Prior Land Use Requests

Application Number	Request	Action	Date
VC-2008-95	Variance to reduce front setback and permit an accessory structure in the front yard.	Approved by PC	January 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
East	Public Use	RS5.2	Place of worship

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

Staff cannot support the request not to install full off-site improvements, as this area has known drainage issues and some properties to the east have already installed full off-site improvements

to convey floodwaters. In addition, full-width paving, curb, and gutter improve traffic flow and drainage control, while sidewalks on public streets provide safer routes for pedestrians.

Waiver of Development Standards #2

Staff cannot support this request to not perform a drainage study, as it is important to ensure that any lots created by the minor subdivision map are not completely encumbered with drainage easements and therefore, undevelopable.

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.
- 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 with future development;
- Execute a Restrictive Covenant Agreement (deed restrictions).

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RILEY FREI

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