

09/06/23 BCC AGENDA SHEET

LANDSCAPING/FINISHED GRADE
(TITLE 30)

PONDEROSA WY/DUNEVILLE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0439-PREMIER PROPERTY PRESERVATION, LLC:

WAIVER OF DEVELOPMENT STANDARDS to eliminate sidewalk and street landscaping.
DESIGN REVIEW to increase finished grade in conjunction with a single family residential development on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the northwest corner of Ponderosa Way and Duneville Street within Spring Valley. MN/jud/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-202-010

WAIVER OF DEVELOPMENT STANDARDS:

Eliminate sidewalk and street landscaping along Ponderosa Way and Duneville Street where a detached sidewalk and landscaping is required per Figure 30.64-17.

DESIGN REVIEW:

Increase finished grade to 4 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 33% increase).

LAND USE PLAN:

SPRING VALLEY - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 2.5
- Number of Lots/Units: 4
- Density (du/ac): 2
- Project Type: Landscape and finished grade

Request & Site Plan

This request is to waive the required perimeter landscaping and sidewalk along Ponderosa Way and Duneville Street associated with a minor subdivision (MSM-22-600025). The minor subdivision map indicates that the site, 2.5 acres, will be subdivided into 4 parcels. Thirty feet

will be dedicated for public right-of-way along Ponderosa Way and Duneville Street respectively. Along the northern property line is a 5 foot drainage easement. The applicant is requesting a waiver of development standards to eliminate the requirement for landscape and sidewalk along both streets. Additionally, the applicant is requesting an increase in finished grade to 4 feet due to the topography of the subject site.

Landscaping

No landscaping or sidewalk are provided along Ponderosa Way and Duneville Street.

Elevations

The plans depict perimeter screen and retaining walls at a maximum height of 9 feet. Six feet are proposed to be a screening wall and the additional 3 feet are proposed to be retaining walls. Along the northern property line, the perimeter wall will be set back 5 feet south in order to accommodate the 5 foot wide drainage easement.

Applicant's Justification

The applicant states due to the existence of an old inactive wash on the site, it is necessary to fill in portions of the wash to create the pads for the 2 northernly lots (Lots 2 and 3). The maximum depth of fill on proposed Lot 2 is about 3 feet 2 inches (east side of the lot) and on proposed Lot 3 is about 4 feet. The applicant is requesting to not install a sidewalk and the required landscaping along the street frontages as required by Title 30 Development Code.

Surrounding Land Use

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

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

Staff finds that the applicant has not provided any justification to eliminate the required landscaping and sidewalk. Staff understands the site is rural in nature; however, providing the required sidewalk and landscaping will enhance the visual appeal of the street scape and will

promote a safer environment for the residents of the area. By requesting to eliminate the required street landscaping, the applicant is not providing any mitigating element for the 9 foot wall height proposed along the east side of Lot 3. Therefore, staff cannot support this request.

Public Works - Development Review

Design Review

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval. However, since Planning is recommending denial of the application, staff cannot support this design review.

Department of Aviation

The property lies within the AE-60 (60-65 DNL) noise contour for 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 Harry Reid International 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:

- Provide 1 medium tree every 20 feet inside the walls along Ponderosa Way and Duneville Street;
- 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 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; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;

- Right-of-way dedication to include 30 feet for Duneville Street, 30 feet for Ponderosa Way and associated spandrel.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation Noise Office at landuse@lasairport.com;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation Noise Office when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised 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)

- 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 #0341-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS:

APPLICANT: PREMIER PROPERTY PRESERVATION, LLC

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