

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0191-LEAVITT HEIDI LEWIS & LANE JOSEPH:

WAIVER OF DEVELOPMENT STANDARDS to waive full off-site improvements in conjunction with a proposed minor subdivision map on 15.06 acres in a CG (Commercial General) Zone and an RS80 (Residential Single-Family 80) Zone.

Generally located south of Barlow Avenue and east of Rox Road within Moapa. MK/sd/cv (For possible action)

RELATED INFORMATION:

APN:

031-34-801-002

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Rox Road where required per Section 30.04.08C.
- b. Waive full off-site improvements (curb, gutter, sidewalks, streetlights, and partial paving) along Barlow Avenue where required per Section 30.04.08C.

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA) - OUTLYING NEIGHBORHOOD (UP TO 0.5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1585 E. Barlow Avenue
- Site Acreage: 15.06
- Project Type: 3 lot parcel map and off-site improvements
- Number of Lots: 3

Site Plan

The site plan depicts a proposed 3 lot parcel map on the south side of Barlow Avenue and north of State Highway 168, which is in conjunction with a parcel map in process with the Mapping Team (MSM-25-600062). The applicant will be subdividing the site into 3 parcels with the north half to remain residential (RS80 zone) and the south half will be developed with a future commercial use since this portion is currently zoned CG (Commercial General). As a result of the requirement of the minor subdivision map the applicant is requesting to waive the off-site improvements.

Landscaping

The applicant will provide street landscaping along State Route 168, Rox Road, and Barlow Avenue with the future development.

Applicant’s Justification

The request to waive all off-site improvements is due to the fact the immediate area with the exception of the place of worship to the north features a rural neighborhood with no off-site improvements.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Open Lands, Public Use, Outlying Neighborhood (up to 0.5 du/ac)	RS80	Single-family residence, place of worship, & undeveloped
South	Business Employment	IL	Office/warehouse
East	Ranch Estates Neighborhood (up to 2 du/ac)	RS20	Single-family residences
West	Open Lands & Public Use	RS80	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

Public Works – Development Review

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.

Waiver of Development Standards #1a & #1b

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. Therefore, staff cannot support the Waiver of Development Standards for full off-site improvements.

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

Fire Prevention Bureau

- 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.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property appears to have an existing septic system; please contact the Southern Nevada Health District with regards to modifying existing plumbing fixtures.

TAB/CAC: Moapa - approval.

APPROVALS:

PROTESTS:

APPLICANT: LANE LEAVITT

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