

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-25-400027 (WS-22-0674)-TIGER REAL ESTATE, LLC:

WAIVERS OF DEVELOPMENT STANDARD FIRST EXTENSION OF TIME for the following: **1)** eliminate street landscaping; **2)** increase wall height; and **3)** waive off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights).

DESIGN REVIEWS for the following: **1)** single-family development; and **2)** finished grade on 2.5 acres in an RS20 (Residential Single-Family 20) within the Airport Environs (AE-60) and in the Neighborhood Protection (RNP) Overlays.

Generally located on the west side of Lindell Road, 330 feet south of Russell Road within Spring Valley. MN/na/kh (For possible action)

RELATED INFORMATION:

APN:

163-36-104-005

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along a collector street (Lindell Road) where Figure 30.64-17 is required.
2. Increase retaining wall height up to 6 feet where a maximum retaining wall height up to 3 feet is allowed per Section 30.64.050.
3. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Lindell Road.

DESIGN REVIEWS:

1. Single-family residential development.
2. Increase finished grade to 5 feet where a maximum of 3 feet is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Number of Lots/Units: 4
- Density (du/ac): 1.6
- Minimum/Maximum Lot Size (square feet): 21,139/35,306

- Project Type: Single-Family Residential

Site Plans

The revised plans submitted on July 2023 show a 3 lot residential subdivision with gated access to Lindell Road. Lot 1 has a total square feet of 24,879 square feet, Lot 2 has a total square feet of 22,455 square feet. Lot 3 has a total square foot of 46,383. A reduction of 10% for the net square footage was allowed for Lot 1 because it is adjacent to a collector street. The net lot size is 16,619 square feet. The call box is located 50 feet from the edge of right-of-way. The revised plans show a combination of 3 foot high retaining wall with 6 foot high screen wall on top along the following: Lindell Road, northern boundary of the Flood Zone within Lot #3 and a portion of the north property line. A 6 foot high retaining wall is proposed along the west property line, adjacent to developed residential lots. Plans also show interior subdivision screen walls proposed at 6 feet high. The revised plans also shows the cul-de-sac radius was reduced to 40 feet and 5 inches. Also the entrance lane was changed to 24 feet wide and the exit lane was changed to 20 feet for the Fire Department.

Landscaping

The previously approved plan depicts a 3 foot wide street light and traffic conduit easement with a gravel groundcover located behind the future back of sidewalk along Lindell Road. The Notice of Final Action for WS-22-0674 state that street landscaping is limited to the portion of Lindell Road within the floodplain.

Previous Conditions of Approval

Listed below are the approved conditions for WS-22-0674:

Current Planning

- Design review for development of Lot #3.
- 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

- Full off-site improvements, except streetlights, on Lindell Road north of the private street;
- Install conduit and pull-boxes for future streetlights;
- 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 40 feet for Lindell Road;
- Execute a Restrictive Covenant Agreement (deed restrictions).

- Applicant is advised that this site is located within a Special Flood Hazard Area (SFHA) as designated by the Federal Emergency Management Agency (FEMA); and 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;
- 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;
- 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 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.

Fire Prevention Bureau

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

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 #04772022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

Applicant's Justification

Per the applicant, this extension of time is needed to record a parcel map that is currently in review with the Clark County Mapping Team, and to finalize the construction agreement with the applicant's contractor, and to apply for necessary building permits to begin construction.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0675	Vacated and abandoned patent easements	Approved by BCC	February 2023

Prior Land Use Requests

Application Number	Request	Action	Date
WS-22-0674	Eliminated street landscaping, increased wall height, decreased call box setback, decreased private street width, and waived off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights), design review for a single-family development and increased finished grade	Approved by BCC	February 2023

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Neighborhood Commercial	RS20 (AE-60)	Undeveloped
South & West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (AE-60 & NPO-RNP)	Single-family residential

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**

Title 30 standards of approval for an extension of time state an application may be denied if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws, regulations, or policies affecting the subject property. Additionally, the applicant must demonstrate the project is progressing through the applicable development permit or licensing process.

Staff finds that the applicant has an active parcel map (MSM-24-600038) in review with the Public Works Mapping Team. In addition, records show that the applicant obtained an approved off-site permit via PW23-16544 and a preliminary approval was issued for Geo-Soils Study via PW24-17591. Lastly the applicant posted performance bonds with Clark County Public Works via PW23-16544-B01. The applicant has demonstrated progress towards this project; therefore, staff can support this request.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

Staff Recommendation

Approval.

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

- Until February 22, 2027 to commence or the application will expire unless extended with approval of an extension of time.
- Applicant is advised 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: BALOVA ENGINEERING, PLLC

CONTACT: BALOVA ENGINEERING PLLC, 7495 W. AZURE DRIVE, SUITE 140-C, LAS VEGAS, NV 89130