

SETBACKS/NON-STANDARD IMPROVEMENTS
(TITLE 30)

NAPLES DR/LONE MESA DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0158-AMH NV4 DEVELOPMENT, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce setbacks; and **2)** non-standard improvements in the right-of-way for a single family residential development on 8.7 acres in an R-2 (Medium Density Residential) Zone in the CMA Design Overlay District.

Generally located on the south side of Peace Way, 636 feet west of Lone Mesa Drive within Spring Valley. JJ/jud/syp (For possible action)

RELATED INFORMATION:

APN:

163-20-302-002; 163-20-304-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback for Lot 54 to 11 feet where 15 feet is required per Table 30.40-2 (a 27% reduction).
2. Allow non-standard improvements (irrigation sleeve) within the right-of-way where not permitted per Section 30.52.050.

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Acreage: 8.7
- Number of Lots/Units: 69
- Project Type: Rear setback reduction and non-standard improvements in the right-of-way
- Number of Stories: 2

History & Site Plans

The approved plans depict essentially 2 separate subdivisions. The first being on the north side of Naples Drive and the second on the south side of Naples Drive. Subdivision 1 (north) is comprised of 37 lots ranging in size from 3,376 square feet to 4,893 square feet on approximately 4.6 acres. Access to this subdivision is via a 48 foot wide public street with 5 foot wide sidewalks on both sides of the street that runs between Peace Way and Naples Drive.

Interior to the subdivision are 2 stub streets that end in hammerhead turnarounds. Five lots are proposed to directly access Naples Drive.

Subdivision 2 (south) is comprised of 32 lots ranging in size from 3,328 square feet to 5,748 square feet on 4.1 acres. Access to this subdivision is via a 48 foot wide public street with 5 foot wide sidewalks on both sides of the street that runs between Naples Drive and Scallop Reef Avenue. Interior to the subdivision is 1 stub street that ends in a hammerhead turnaround.

The applicant is requesting to reduce the rear setback of Lot 54 from 15 feet to 11 feet. This reduction will only be needed for the southwest corner of the lot.

Additionally, the applicant is requesting to allow non-standard improvements located within the public right-of-way (irrigation sleeves). The proposed irrigation crossings, seven in total, are found throughout the development. They will consist of two 4 inch or one 6 inch schedule 40 PVC pipe. These pipes will be used to irrigate the perimeter landscaping.

Landscaping

The approved plans for the north side of Naples Drive show a 6 foot wide planter with an attached sidewalk along Peace Way, and a 6 foot wide planter behind an attached sidewalk for a portion of the north side of Naples Drive. Interior to the site is a 14,505 square foot common element that has 2 separate 3,120 square foot grass areas with a gathering area in the center. The entire area is surrounded by 24 inch to 36 inch box trees. The project south of Naples Drive has 6 foot wide planters behind attached sidewalks on both Naples Drive and Scallop Reef Avenue.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant is requesting the rear setback reduction to allow for a house plan to fit on the lot. The rear setback reduction is due to the unusual shape of the overall lot and the CC-215 right-of-way that clips the back corner of the lot. To off-set this request, Lot 54 has been widened, this allows for a 14 foot wide side yard; which is almost triple the required width. Furthermore, the applicant states that even though this is a self-imposed hardship, it is due to the narrowness of the overall parcel and the constraints of the design and affects only 1 lot of the subdivision.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-22-0047	Vacated and abandoned easements	Approved by BCC	March 2022
ZC-22-0046	Reclassified 8.7 acres for a 69 lot single family subdivision	Approved by BCC	March 2022
TM-22-500021	69 lot single family residential subdivision	Approved by BCC	March 2022

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-2	Single family residential
South, East, & West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 & R-E	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**Waivers 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.

Waiver of Development Standards #1

The plans show the location of the CC 215 has reduced the length of a portion of Lot 54, which affects the rear yard setback for the southwest corner of the lot. Staff finds this is a special circumstance creating a unique situation for this proposed development and can support the proposed setback reduction.

Public Works - Development ReviewWaiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any irrigation crossing placed in the right-of-way. Staff can support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

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

- 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

- Execute a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: AMH DEVELOPMENT, LLC

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