

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0477-ROSHI 27, LLC & LEXILAND, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate the drainage study; and **2)** waive full off-site improvements on 15.75 acres in an RS20 (Residential Single-Family 20) Zone.

Generally located west of Valley View Boulevard and north of Cactus Avenue within Enterprise.
JJ/sd/cv (For possible action)

RELATED INFORMATION:

APN:

177-30-801-031

WAIVERS OF DEVELOPMENT STANDARDS:

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

LAND USE PLAN:

ENTERPRISE - CORRIDOR MIXED-USE

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

BACKGROUND:

Project Description

General Summary

- Site Acreage: 15.75
- Number of Lots: 2
- Project type: Proposed 2 lot parcel map

Site Plan & Request

The minor subdivision map indicates that the site will be divided into 2 parcels. The site is located at the northwest corner of Cactus Avenue and Valley View Boulevard. The intent of the parcel map is to create separate legal parcels for sale. Lot 1 along the north side of the site is 7.44 acres and is a part of a single-family residential development that is in process (ZC-25-0517, TM-25-500128, and VS-25-0518). Lot 2 will potentially be utilized for commercial purposes in the future.

The applicant is requesting to waive the drainage study and the requirements for off-site improvements along Cactus Avenue, Hinson Street, and Valley View Boulevard associated with a Minor Subdivision Map (MSM-25-600014) that is in process with Public Works - Mapping.

Applicant’s Justification

The applicant states their clients are proposing to subdivide the parcel into 2 separate parcels. The proposed waivers will allow future users to determine the overall configuration of the individual lots, and it will lessen the disturbance to the traffic in the area, since utility and driveway openings have not been fully configured/realized at this time. If the required off-site improvements were installed prior to the parcel map recording, the future tenants of the parcels would need to tear up the roadways again to install utility connections and to remove the sidewalk, curb and gutter to allow for driveway entrances. The exact configuration of development on the site is not fully realized yet and the applicant would like to waive the installation of the off-sites and the drainage impact analysis to follow with the future development of the parcels.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0006	Waiver of development standards to waive water connection in conjunction with a minor subdivision on 32.1 acres	Approved by PC	February 2020
WS-19-0790	Waive requirements for a drainage study and off-site improvements in conjunction with a minor subdivision map MSM-19-900041	Approved by BCC	November 2019
ZC-19-0390	Reclassified 15.7 acres to R-2 zoning for a single-family subdivision	Approved by BCC	August 2019
TM-19-500106	126 lots	Approved by BCC	August 2019
VS-19-0461	Vacated and abandoned right-of-way and easements	Approved by BCC	August 2019
PA-17-700005	Plan amendment to the Enterprise Land Use Plan on 35 acres from PF and RL districts to CG and RS districts with portions of the subject property within the RNP-I Overlay District	Approved by BCC	March 2018

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Low-Intensity Suburban Neighborhood (up to 5 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3 & RS20 (NPO-RNP)	Undeveloped
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20 & R-2	Single-family residence & undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Neighborhood Commercial & Compact Neighborhood (up to 18 du/ac)	RS20, CG, & RM-18	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20 & RS3.3	Undeveloped & single-family residences

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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.

Public Works - Development Review

Waiver of Development Standards #1

A drainage study is necessary to identify the need for drainage easements within the new lots being created by MSM-25-600014. The applicant states that a drainage study will be prepared with future development. The issue is that without creating the drainage easement at the same time the lots are created, a future owner could be left with a disproportionate share of the burden dealing with a lot that has drainage issues. Therefore, staff cannot support this waiver.

Waiver of Development Standards #2

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:

- 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

- Full off-site improvements shall be required with future development as determined by Public Works - Development Review.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD is unable to verify sewer capacity based on this zoning application; and may find instruction for submitting a Point of Connection (POC) request on the CCWRD's website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC: Enterprise - approval of waiver of development standards #2; denial of waiver of development standards #1.

APPROVALS:

PROTESTS:

APPLICANT: ROSHI 27, LLC & LEXILAND, LLC

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