

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0191-PARAMOUNT INVESTMENTS CO:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** eliminate right-of-way dedication; **2)** increase driveway width; and **3)** reduce throat depth in conjunction with a proposed single-family residential development on 19.4 acres in an RS10 (Residential Single-Family 10) Zone.

Generally located on the south side of Mistral Avenue and on the east side of Lindell Road within Enterprise. JJ/rg/cv (For possible action)

RELATED INFORMATION:

APN:

176-13-501-013; 176-13-501-014; 176-13-501-030; 176-13-501-034; 176-13-501-036; 176-13-501-038; 176-13-601-002; 176-13-601-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate the dedication of Shelbourne Avenue where required per Section 30.04.08D.
2. Increase the driveway width to 37 feet where 28 feet is the maximum per Uniform Standard Drawing 222 (a 32% increase).
3. Reduce the driveway throat depth to a call-box to 66 feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 44% reduction).

PROPOSED LAND USE PLAN:

ENTERPRISE - LOW-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 19.4
- Project Type: Single-family detached residential development
- Number of Lots: 57
- Density (du/ac): 2.94
- Minimum/Maximum Size (square feet): 8,940/16,204
- Number of Stories: 1
- Building Height (feet): 22
- Square Feet: 3,565 to 3,776

Site Plans

The plans depict a proposed single-family residential development consisting of 57 lots on 19.4 acres. The density of the overall development is shown at 2.94 dwelling units per acre. The lots

range in size from a minimum of 8,940 square feet to a maximum 16,204 square feet. The site will be accessed from Mistral Avenue via a north-south 42 foot wide street. All lots will be accessed from 43 foot wide private streets with a roll curb, gutter and sidewalk on one side of the street. Two of the internal streets terminate in a hammerhead street being Aurora Cascade Avenue and Aurora Drift Avenue. Two other internal streets, Windward Glow Street and Aurora Breeze Court terminates in a cul-de-sac. Lastly, 2 internal streets Radiant Wind Avenue and Breezy Glow Street terminates as a stub street.

Applicant's Justification

The applicant is requesting to allow modification of the Uniform Standard Drawings 222, and 222.1. The applicant is requesting to increase the driveway way width per Uniform Standard Drawings 222. The increase in driveway width is due to the proposed homes having 4 car garages. A residential development that contains between 50 to 100 homes requires a throat depth of at least 100 feet in length and the requested for reduction is 66 feet to the call box. A traffic study and queuing analysis will be completed showing that a 100 foot throat depth is not needed for this site. The applicant is requesting to not dedicate the 60 foot wide right-of-way for Shelbourne Avenue alignment. Based on the feedback received in the two neighborhood meetings held. It was preferred that Shelbourne Avenue not be dedicated. Due to the neighbor's concern regarding traffic access is limited to the west by the railroad tracks and detention basin.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1026-05	Added the RNP-I overlay to the site and reclassified the site from R-E to R-E (RNP-I)	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2 & RS3.3	Single-family residential development
South	Ranch Estate Neighborhood (up to 2 du/ac) & Open Lands	RS20 (NPO-RNP)	Undeveloped
East	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Single-family residential development & undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	RS20 (NPO-RNP)	Undeveloped, place of worship & single-family residential development

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

Related Applications

Application Number	Request
PA-25-700012	The redesignation of the site from Ranch Estate Neighborhood to Low-Intensity Suburban Neighborhood is a companion item on this agenda.

Related Applications

Application Number	Request
ZC-25-0188	A zone change to reclassify the site from RS20 to RS10 zoning is a companion item on this agenda.
VS-25-0189	A vacation and abandonment of government patent easements and rights-of-way is a companion item on this agenda.
PUD-25-0190	A planned unit development for a 57 lot single-family residential subdivision is a companion item on this agenda
TM-25-500043	A tentative map for 57 single-family residential lots is a companion item on this agenda.

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.

Waiver of Development Standards #1

Staff cannot support the request for the non-dedication of Shelbourne Avenue as there is an active application for the vacation and abandonment of Mistral Avenue.

Waiver of Development Standards #2

Staff has no objection to the increase of residential driveway widths.

Waiver of Development Standards #3

Staff cannot support the reduction in throat depth. The driveways to each unit adjacent to Twilight Breeze Street are too close, which compounds the safety concerns of exiting and entering the site.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

The property lies just outside the AE-60 (60-65 DNL) noise contour for the 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 the Harry Reid International Airport facilities to meet future air traffic demand.

Staff Recommendation

Denial. This item has been forwarded to the Board of County Commissioners for final action.

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.

STAFF CONDITIONS:

Public Works - Development Review

- **The installation of detached sidewalks will require dedication to the back of curb, vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights and traffic control devices.**

PLANNING COMMISSION ACTION: April 15, 2025 – APPROVED – Vote: Aye: Frasier, Stone, Mujica, Gibson, Roitman Nay: Kilarski Absent: Kirk

Comprehensive Planning

- Applicant is advised within 4 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

- No streetlights on the internal streets;
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- 30 days to submit a Separate Document to the Map Team for the required right-of-way dedications and any corresponding easements for any collector street or larger;
- 90 days to record required right-of-way dedications and any corresponding easements for any collector street or larger;
- All other right-of-way and easement dedications to record with the subdivision map;
- Right-of-way dedication to include 25 feet to the back of curb for Mistral Avenue, 25 feet to the back of curb for Edmond Street, 50 feet to the back of curb for Shelbourne Avenue and associated spandrels.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code; applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment; that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development and to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office at landuse@lasairport.com is strongly encouraged; 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.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised that there is an active septic permit on APN 176-13-501-013; to connect to municipal sewer and remove the septic system in accordance with Section 17 of the SNHD Regulations Governing Individual Sewage Disposal Systems and Liquid Waste Management; and to submit documentation to SNHD showing that the system has been properly removed.

Fire Prevention Bureau

- Applicant to show fire hydrant locations on-site and within 750 feet;
- 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 a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking

#0078-2024 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.
WAIVERS OF DEVELOPMENT STANDARDS #1 AND #3 WERE WITHDRAWN.

TAB/CAC: Enterprise - denial.

APPROVALS:

PROTESTS:

APPLICANT: GREYSTONE NEVADA, LLC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118