

11/15/22 PC AGENDA SHEET

LOT SIZE
(TITLE 30)

LINDELL RD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0552-MARTINEZ FAMILY TRUST & MARTINEZ, JOSE S. & FRANCISCA P. CO-TRS:

WAIVER OF DEVELOPMENT STANDARDS for reduced lot size in conjunction with a residential subdivision on 2.1 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-65) Zone in the CMA Design Overlay District.

Generally located on the northwest corner of Lindell Road and Post Road within Spring Valley.
MN/sd/syp (For possible action)

RELATED INFORMATION:

APN:

163-36-306-008

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the net lot area to 15,893 square feet where 16,200 square feet is required for residential lots along a collector street per Table 30.40-1 (a 2% reduction).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6265 Lindell Road
- Site Acreage: 2.1
- Number of Lots/Units: 4
- Minimum/Maximum Lot Size (square feet): 20,018/20,392 (gross); 15,893/18,361(net)
- Project Type: Single family residential

Site Plans

The plans depict a 4 lot residential subdivision. A single family residence, which was constructed in 1996, exists on what will become the northwestern parcel. The applicant states this residence will remain. Access to the subdivision is from Lindell Road. The applicant is seeking a waiver of development standards for net lot size. The site plans show future lots not meeting the required net lot area. The plans show Lot 1 with a gross area of 20,259 square feet and a net lot size of

15,893 square feet and Lot 4 shows a gross lot area of 20,392 square feet and a net lot size of 16,040 square feet. Both lots are located along Lindell Road, which is a collector street.

Landscaping

Landscaping is not a part of this application.

Elevations

The applicant has stated these proposed single family residences will be custom homes and will provide elevation at the time of building permit submission.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that a mapping comment for the minor subdivision stated that the proposed parcel will be losing net area due to the street light easement as follows for Lot 1 (310 square feet) and Lot 4 (350 square feet), which will reduce the required net area below 16,200 square which is the allowable reduction for a collector street (Lindell Road).

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0795-08	Waived setbacks and lot area	Approved by PC	October 2010
VS-0772-08	Vacated and abandoned patent easements	Approved by PC	June 2002
UC-1285-06	Increased habitable area for accessory apartment with a design review for accessory apartment	Approved by PC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Staff typically does not support reducing net lot area, as lots within a designated RNP are intended to generally establish lots close to one-half acre minimum with a minimum net lot size of 18,000 square feet. Code allows a 10% reduction to this minimum area when the lots are along a collector or arterial street. The net area must be maintained for future residents of the lots to have adequate usable space in their lot. However, the applicant is required to provide an easement for future streetlights, which results in a 2% reduction in net lot area for 2 lots. This reduction should have minimal impact to the surrounding neighbors and to the future residents of the lot. As a result, staff can support the waiver of development standards to reduce the net lot area.

Department of Aviation

The property lies within the AE-65 (65-70 DNL) noise contour for 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 Harry Reid International facilities to meet future air traffic demand.

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:

Current 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

- Drainage study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that signs, structures, existing and proposed fencing and walls, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones; and that off-site improvement permits may be required.

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 35 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

- No comment.

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 #0386-2022 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: JOSE MARTINEZ JR.

CONTACT: WADE TAKASHIMA, CREATIVEFIT, 953 ROCK LEDGE COURT, HENDERSON, NV 89012