

OFF-SITE IMPROVEMENTS/DRAINAGE STUDY
(TITLE 30)

PAUL AVE/YAMASHITA ST
(MOAPA VALLEY)

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0044-RAWSON CASEY & KATIE:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); **2)** drainage study; **3)** eliminate street landscaping, screening, and buffering on 1.9 acres in the R-T (Manufactured Home Residential) Zone in conjunction with a minor subdivision map in the Moapa Valley Overlay District.

Generally located on the south side of Paul Avenue and the west side of Yamashita Street within Moapa Valley. MK/jud/syp (For possible action)

RELATED INFORMATION:

APN:

041-35-801-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) where required per Chapter 30.52.
2. Waive drainage study where required per Chapter 30.52.
3. Waive all applicable perimeter buffering, landscape, and screening standards, including detached sidewalks, landscaping, and 6 foot decorative wall along an arterial right-of-way, where required by Table 30.64.1, Figure 30.64-17 and Section 30.48.935 (a 100% reduction).

LAND USE PLAN:

NORTHEAST COUNTY (MOAPA VALLEY) - LOW-INTENSITY SUBURBAN
NEIGHBORHOOD (UP TO 5 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Number of Lots: 1
- Project Type: Minor subdivision

Request

This request is to waive the drainage study, requirements for off-site improvements, and landscaping with perimeter walls along Yamashita Street and Paul Avenue associated with a minor subdivision (MSM-22-600076).

Site Plan

The minor subdivision map indicates that the site, 1.9 acres, will be divided into 2 parcels. The applicant is requesting a waiver of development standards for full off-site improvements; therefore, triggering the need for a waiver of development standards request to eliminate the required street landscaping. Additionally, the applicant is requesting to defer the drainage study until the property is developed. Currently, the plan is to divide the site and remain undeveloped. The site is located within the Moapa Valley Overlay District.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states the purpose of this subdivision is to build 2 single family residences. Applicant further states this is not for commercial purposes; therefore, off-site improvements and street landscaping are not necessary in this rural community and would not fit with the surrounding properties. In addition, the request to defer the drainage study is until the time when the property is to be developed in a few years.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|--|-----------------|-------------|
| WS-0621-07 | A request to eliminate detached sidewalk - expired | Approved by BCC | August 2007 |
| TM-500143-07 | 10 lot single family residential - expired | Approved by BCC | August 2007 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---|------------------------|---------------------------------------|
| North | Public Use | P-F | Moapa Valley High School |
| South & West | Low-Intensity Suburban Neighborhood (up to 5 du/ac) | R-T | Developed and undeveloped residential |
| East | Outlying Neighborhood (up to 0.5 du/ac) | R-U | Single family residential |

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 #3

The site is in the Moapa Valley Overlay District which requires detached sidewalks along all arterial and collector streets for all developments. Yamashita Street is an identified Arterial Street in the Logandale/Overton Transportation Map. Moreover, the site is immediately south of Moapa Valley High School and sidewalks will contribute to the safety of pedestrians around the area. Staff understands the site is in a rural community; however, providing the required sidewalks and landscaping will enhance the visual appeal of the streetscape and will promote a safer environment for the residents, students, and school personnel. Although the proposed development appears to be in harmony with the surrounding area, and its impact does not appear to be disproportionate in nature compared to other similar single family developments in the area, staff cannot support the waiver of development standards for sidewalks and landscaping due to its location, immediately across from an educational institution.

Public Works - Development Review

Waiver of Development Standards #1

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.

Waiver of Development Standards #2

A drainage study is necessary to identify the need for drainage easements within the new lots being created by MSM-22-600076. 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.

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 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 and application for review; 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 shall be required prior to the issuance of a building permit;
- Execute a Restrictive Covenant Agreement (deed restrictions).

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 #0050-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CASEY RAWSON

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