

SINGLE FAMILY RESIDENTIAL DEVELOPMENT  
(TITLE 30)

MAULE AVE/HINSON ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ET-20-400150 (WS-18-0108)-DBAC, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME** to commence the following: **1)** waive landscaping along a collector street (Maule Avenue); **2)** increase wall height; **3)** full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving); **4)** reduce street intersection off-sets; and **5)** allow non-standard street sections in conjunction with a proposed single family residential development.

**DESIGN REVIEWS** for the following: **1)** a proposed single family residential development; and **2)** increased finished grade on 12.4 acres in an R-E (Rural Estates Residential) (RNP-I) (AE-60) Zone.

Generally located on the west side of Hinson Street and the north side of Maule Avenue within Enterprise. MN/jgh/jd (For possible action)

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RELATED INFORMATION:

**APN:**

177-06-601-012; 177-06-601-022; 177-06-601-024

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Waive landscaping along a collector street (Maule Avenue) where landscaping per Figure 30.64-6 is required.
2. Increase retaining wall height (retaining and screen wall) to 15 feet where a maximum of 9 feet is permitted per Figure 30.64-15.
3. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Maule Avenue per Chapter 30.52.
4. Reduce street intersection off-sets.
5. Allow non-standard street sections as required per Uniform Standard Drawings 212 and 210.S1.

**DESIGN REVIEWS:**

1. A proposed single family residential development.
2. Increased finished grade for a single family residential development to 72 inches where 18 inches is the standard (a 233% increase).

**LAND USE PLAN:**

ENTERPRISE - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 12.4
- Number of Lots: 23
- Density (du/ac): 1.93
- Gross Minimum/Maximum Lot Size (square feet): 20,049/26,606
- Net Minimum/Maximum Lot Size (square feet): 17,373/23,157
- Project Type: Single family residential development
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 5,902 to 7,010 (including garages)

#### Site Plans

The previously approved plans show a proposed gated single family residential development consisting of 23 lots on 12.4 acres. The density of the residential development is 1.93 dwelling units per gross acre with a minimum net lot area of 17,373 square feet and a maximum net lot area of 23,157 square feet. The gross lot areas range from 20,049 square feet to 26,606 square feet. All proposed lots will be served by two, 40 foot to 50 foot wide private streets with R-type curb. Portions of the private streets will have 6 foot wide medians with 2 small roundabouts at the end of the 2 proposed cul-de-sacs. The plans also show access gates and medians within the proposed development off Maule Avenue to the south.

#### Landscaping

The previously approved plans show 24 inch box trees and shrubs on the interior of Lot 23 along Hinson Street. There is no landscaping proposed along Maule Avenue, which the applicant has requested a waiver of development standards to eliminate.

#### Elevations

The previously approved plans show 2 types of 2 story contemporary model homes with multiple elevations for each plan. The buildings have parapet walls with varying rooflines and heights of up to 26 feet. All buildings have enhanced architectural elements such as wood louvers, black anodized alum and wood awning, and will be constructed with smooth plaster and stone feature walls.

#### Floor Plans

The proposed model homes range in sizes from 5,902 square feet to 7,010 square feet including garages. The 2 proposed models show 4 and 5 bedrooms, dining, living and kitchen areas, loft, storage, laundry room, and bathrooms. All models have either a 3 or 4 car garage.

### Previous Conditions of Approval

Listed below are the approved conditions for WS-18-0108:

#### Current Planning

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that 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;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include 40 feet for Maule Avenue, 30 feet for Hinson Street, and the necessary right-of-way for County-approved turn around at the northerly end of Hinson Street;
- The County-approved turn around for Hinson Street shall be located far enough north of the private street for the 4 lots of Parcel Map File 26 Page 99 to not create vehicular conflicts, as determined by staff.
- Applicant is advised that the call box and gates must comply with Uniform Standard Drawing 222.1; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

#### 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 30.48 Part B of the Clark County Unified Development Code;
- 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 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 30 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 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 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.

#### Signage

Signage was not a part of the original request.

#### Applicant's Justification

The applicant indicates they are requesting additional time for this project to give the residential home builder more time and opportunity to move forward with this project. Although the project has been impacted due to a slowdown in sales, progress toward commencing the project has been made with an approved Tentative Map on file.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-18-0108	Reduced street intersection off sets, waived landscaping, increased wall height, for a single family residential subdivision	Approved by BCC	March 2018
TM-18-500020	23 lots in residential development	Approved by BCC	March 2018
WS-0662-13	Reduced lot size, reduced street intersection off-set, waived off-site improvements (curb, gutter, sidewalk, streetlights, and reduced paving) and allowed non-through street improvements in conjunction with a proposed single family residential subdivision	Withdrawn	February 2014
VS-0661-13	Vacation of government patent easements	Withdrawn	February 2014

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
TM-0179-13	23 lot single family residential development	Withdrawn	February 2014
VS-0397-13	Vacation of government patent easements	Withdrawn	September 2013
WS-0396-13	Reduced lot area, waived off-site improvements, and allowed non-standard street improvements for a single family residential subdivision	Withdrawn	September 2013
TM-0100-13	23 lot single family residential development	Withdrawn	September 2013
WS-0541-12	Reduced lot area and waived off-site improvements for a single family residential subdivision	Withdrawn	October 2012
TM-0082-12	23 lot single family residential development	Withdrawn	October 2012
VS-0542-12	Vacated and abandoned government patent easements	Withdrawn	October 2012
TM-0511-06	24 lot single family residential development – expired	Approved by PC	February 2007
ZC-1026-05	Zone boundary amendment initiated by the Board of County Commissioners to establish the RNP-I Overlay District	Approved by BCC	October 2005
TM-0676-04	24 lot single family residential development – expired	Approved by PC	December 2004
VS-1989-04	Vacate and abandon patent easements – expired	Approved by PC	December 2004
TM-0127-03	24 lot single family residential development – expired	Approved by PC	May 2003
VS-0557-03	Vacated and abandoned patent easements and a portion of Pamalyn Avenue right-of-way – withdrawn in November 2004	Approved by PC	May 2003

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Industrial	M-1	CC 215 & industrial developments
East & South	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences & undeveloped
West	Rural Neighborhood Preservation (up to 2 du/ac) & Public Facilities	R-E (RNP-I)	Undeveloped & water storage reservoir

**Related Applications**

<b>Application Number</b>	<b>Request</b>
ET-20-400156 (VS-18-0094)	Extension of time to vacate and abandon government patent easements and portions of right-of-way being Pamalyn Avenue and Hinson Street is a companion item on this agenda.
ET-20-400158 (VS-18-0589)	Extension of time to vacate and abandon government patent easements is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

The applicant has made progress towards commencement of this project. A traffic study has been approved (PW18-15447). In addition, the drainage study (PW-20-17300) and off-site permit (PW18-14325) have been submitted. Also, this is the first extension of time filed for WS-18-0108, therefore, staff has no objection to this request.

**Public Works - Development Review**

There have been no significant changes in this area. Staff has no objection to this extension of time.

**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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

**PRELIMINARY STAFF CONDITIONS:****Current Planning**

- Until March 21, 2023 to commence;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that 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.

**Public Works - Development Review**

- Compliance with previous conditions.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DBAC, LLC

**CONTACT:** ELISHA SCROGUM, TANEY ENGINEERING, 6030 S. JONES BLVD, SUITE 100, LAS VEGAS, NV 89113