

OFF-SITE IMPROVEMENTS
(TITLE 30)

LINDELL RD/ROBINDALE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-20-0540-CFT LANDS, LLC:

WAIVER OF DEVELOPMENT STANDARDS for full off-site improvements in conjunction with a minor subdivision on 20.0 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Lindell Road and the south side of Robindale Road within Enterprise. MN/jt/ja (For possible action)

RELATED INFORMATION:

APN:
176-12-701-027

LAND USE PLAN:
ENTERPRISE - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 20
- Number of Lots: 3
- Density (du/ac): 0.15
- Minimum/Maximum Lot Size (acres): 0.95/13.96
- Project Type: Minor subdivision

Site Plan

The 20 acre parcel is bisected in the southeast portion of the site by the Union Pacific Railroad. A minor subdivision map (MSM-20-600079) is in process to subdivide the site into 3 parcels. The first parcel will be 13.96 acres located on the northwest side of the Union Pacific Railroad. A second parcel will be 3.53 acres and overlaps the 200 foot wide Union Pacific Railroad right-of-way. The third parcel will be 0.95 acres and is located on the southeast side of the Union Pacific Railroad.

Applicant's Justification

The applicant indicates that Title 30 requires full off-site improvements with a minor subdivision map if the smallest resulting parcel is less than 5 acres. In this case, the smallest parcel will be 0.95 acres. However, the applicant would like to defer the off-site improvements for future

development of the site. The purpose of the minor subdivision and this application is to allow a residential subdivision on the northwest portion of the site, which was recently approved.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-20-0435	Reclassified the site to R-2 zoning for a single family residential development	Approved by BCC	December 2020
TM-20-500148	114 single family residential lots and common lots	Approved by BCC	December 2020
VS-20-0474	Vacated and abandoned a public drainage easement	Approved by BCC	December 2020
ZC-20-0129	Reclassified 20 acres from M-1 to R-3 zoning for a 139 lot single family development – expunged by ZC-20-0435	Approved by BCC	June 2020
TM-20-500041	139 lot single family development Robindale & Lindell – expunged by ZC-20-0435	Approved by BCC	June 2020
VS-20-0131	Vacated and abandoned easements and right-of-way along Robindale Road and Lindell Road	Approved by BCC	June 2020
PA-18-700017	Enterprise Plan Amendment to change from RS (Residential Suburban) to RH (Residential High)	Approved by BCC	March 2019

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Medium (up to 3-14 du/ac)	RUD	Single family residential
South	Public Facilities	M-1 & R-E	Undeveloped & UPRR
East	Public Facilities	M-1 & R-E	Undeveloped & UPRR
West	Residential Suburban (up to 8 du/ac)	R-2	Single family residential & undeveloped

The subject site and surrounding area are within the Public Facilities Needs Assessment (PFNA) area.

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.

Public Works - Development Review

Staff has no objection to the request to defer full off-site improvements for the subject site as this request is solely for the purpose of allowing a parcel map to record to split the parcel into 3 parcels. The largest parcel will be the development parcel that will consist of single family residences with the other 2 parcels being for the Union Pacific Railroad, and east of that for drainage purposes. Full off-site improvements will still be required on all streets, as indicated by the conditions of approval on the zone change and tentative map applications for the single family subdivision.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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**

- 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

- This approval is for a temporary deferral of full off-site improvements for the sole purpose of allowing a minor subdivision map (parcel map) to record;
- Execute a Restrictive Covenant Agreement (deed restrictions).
- Applicant is advised that full off-site improvements are required for the development of the parcels as required by the zone change and tentative map.

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 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CFT LANDS, LLC

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5740 SOUTH ARVILLE STREET,
SUITE 216, LAS VEGAS, NV 89118