

02/17/21 BCC AGENDA SHEET

SINGLE FAMILY SUBDIVISION
(TITLE 30)

PECOS RD/MAULE AVE

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-20-400174 (WS-18-0654)-HEIVA HOLDINGS USA, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME to waive full off-sites (curb, gutter, sidewalks, and partial paving).

DESIGN REVIEWS for the following: **1)** single family residences; and **2)** finished grade for a residential subdivision on 12.9 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Pecos Road, 630 feet south of Maule Avenue within Paradise. JG/jgh/jd (For possible action)

RELATED INFORMATION:

APN:

178-06-301-013

WAIVER OF DEVELOPMENT STANDARDS:

Waive full off-sites (curb, gutter, sidewalks, and partial paving) along Pecos Road.

DESIGN REVIEWS:

1. Single family residential subdivision.
2. Increased finished grade height to 60 inches where 18 inches is the standard per Section 30.32.040 (a 233% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 12.9
- Number of Lots: 24
- Density (du/ac): 1.87
- Gross Minimum/Maximum Lot Size: 20,281 square feet/28,832 square feet
- Net Minimum/Maximum Lot Size: 18,018 square feet/27,206 square feet
- Project Type: Single family residential subdivision
- Number of Stories: 1

- Building Height (feet): 20 feet 5 inches (maximum)
- Square Feet: 3,561 to 4,027

Background

A waiver of street lights along Pecos Road (WS-0456-14) was approved in conjunction with a previous tentative map that has since expired, and has been applied to this project.

Site Plans

The previously approved plans show a single family residential development consisting of 24 lots on 12.9 acres at a density of 1.87 du/ac. The site has access to Pecos Road via a 58 foot wide private street entrance and 43 foot wide private streets with sidewalk on 1 side of the street with roll curb and gutter. Two private cul-de-sacs extend to the south of the main street. The cul-de-sacs are 39 feet wide from back-of-curb to back-of-curb (roll curb and gutter) with sidewalks on 1 side of the cul-de-sacs. The private street has a gated entry set back 57 feet from Pecos Road. A 10 foot wide landscape area is located adjacent to Pecos Road.

Landscaping

The previously approved plans depict a 10 foot wide landscape area located adjacent to Pecos Road with landscape materials such as Raywood Ash, Fan Tex Ash, Arizona Ash, Tuscan Rosemary, Compact Texas Ranger, Lantana, Dwarf Myrtle, and Yellow Hesperaloe, among others.

Elevations

The previously approved plans depict 3 different single story models with 3 different elevation options per model. Elevations range in overall height from 18 feet 5 inches to 20 feet 5 inches and consist of modern architecture with painted stucco, stone veneer, varying rooflines, and enhanced entry.

Floor Plans

The previously approved plans depict 3 floor plans that range in size from 3,561 square feet to 4,027 square feet in area. Each residence includes a minimum 3 car garage and a minimum of 4 bedrooms with options for up to 5 bedrooms.

Previous Conditions of Approval

Listed below are the approved conditions for WS-18-0654:

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;
- Execute a Restrictive Covenant Agreement (deed restrictions);
- Applicant to install a single private streetlight at Pecos Road and the entrance to the subdivision, to be approved by Public Works - Development Review.
- Applicant is advised 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 advised 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 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.

Applicant's Justification

The applicant indicates they are filing an extension of time for this project to coincide with the tentative map application TM-18-500149. The applicant has made progress by continuing to work on their technical studies, as well as a drainage study, which is in the system with comments. The applicant is requesting an extension of time for 2 years.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-18-0654	Waived full off-site improvements and a design review to increase finished grade for a single family residence	Approved by BCC	October 2018
TM-18-500149	24 lot single family residential development	Approved by BCC	October 2018
ET-18-400179 (WS-0456-14)	Second extension of time to waive streetlights along Pecos Road	Approved by BCC	October 2018
ET-18-400156 (WS-0323-16)	Second extension of time to commence increased wall height	Approved by PC	August 2018
WS-0456-14 (ET-0100-16)	First extension of time to waive streetlights along Pecos Road	Approved by PC	August 2016
WS-0323-16	Original request to increase wall height for an approved residential subdivision	Approved by PC	June 2016
VS-0040-14 (ET-0040-16)	First extension of time to vacate and abandon portions of right-of-way being Pecos Road and Maule Avenue	Approved by BCC	May 2016

Prior Land Use Requests

Application Number	Request	Action	Date
TM-0012-14 (WC-0020-16)	Waived the condition on the tentative map requiring custom homes and not tract homes - expired	Approved by BCC	April 2016
WS-0456-14	Waived streetlights along Pecos Road	Approved by PC	July 2014
TM-0012-14	Original application for 24 single family residential lots - expired	Approved by BCC	April 2014
VS-0040-14	Vacated a portion of right-of-way being Pecos Road and Maule Avenue	Approved by BCC	April 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential, undeveloped, & flood control channel
East	City of Henderson	RS	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**

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 by continuing to work on their technical studies, as well as a drainage study, which is in the system with comments; therefore, staff has no objections 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 October 3, 2022 to commence.
- Applicant is advised that WS-0456-14 must remain active for subdivision maps to record; the County is currently in the process of rewriting Clark County's Development Code (Title 30), future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in effect at the time of application; due to the future changes in regulations, this may be the last extension of time staff can support; 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: O'DOHERTY PARTNERS, LLC

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