

07/15/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0406-COUNTY OF CLARK(AVIATION):

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height in conjunction with an approved single-family residential subdivision on 4.26 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

Generally located east of El Capitan Way and north of Rochelle Avenue within Spring Valley.
MN/hw/cv (For possible action)

RELATED INFORMATION:

APN:

163-20-501-003

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of retaining walls along portions of the east property line to 6 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 100% increase).

LAND USE PLAN:

SPRING VALLEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.26
- Project Type: Increase retaining wall height
- Number of Lots/Units: 32

Site Plan, History, & Request

The site was previously approved for a single-family residential development consisting of 32 lots and 2 common lots on 4.26 acres with a total density of 7.51 dwelling units per acre through DR-25-0195 and TM-25-500030 in April 2025. The site was also concurrently rezoned to the RS3.3 zone through ZC-25-0193. The previously approved plans showed access to the development was provided from Rochelle Avenue to the south. The internal street was shown to be a 42 feet wide private street, that terminates as cul-de-sac at the north end of the site, with curb and gutter and a 4 foot wide sidewalk on one side of the street. The minimum and maximum net lot sizes were 3,653 square feet and 5,769 square feet. While the previous approved cross sections showed no retaining walls along the east property line, the proposed cross sections now show retaining walls being proposed along portions of the east property line

up to 6 feet tall. The addition of these retaining walls will not affect the layout of the subdivision itself and there are no other changes to the plans.

Applicant's Justification

The applicant states that the subdivision must meet certain conditions for effective drainage. The grade of Street A would have to be higher beginning on the north side of the subdivision and sloping down towards Rochelle Avenue. To allow for the flow to continue southwards, the grade along the east property line must be increased. This is necessary to prevent drainage from flowing towards the east property line. As a result of the increase in the grade fill, an increase in the retaining wall height is necessary, which would exceed the height limit of 3 feet. Therefore, the increase in the retaining wall height will not adversely affect the adjacent parcel or the surrounding community.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-25-500030	32 lot single-family residential tentative map	Approved by BCC	April 2025
DR-25-0195	Design review for a single-family detached residential development	Approved by BCC	April 2025
VS-25-0194	Vacated and abandoned government patent easements and rights-of-way	Approved by BCC	April 2025
ZC-25-0193	Reclassified the site from RS20 to RS3.3 for a single-family residential subdivision	Approved by BCC	April 2025

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-use	CG	Place of worship & retail
South, East & West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

The purpose of reviewing increased retaining wall height is to assure that there are no negative impacts on the surrounding properties and all attempts have been made to minimize the increase in wall height. APNs 163-20-511-049 and 163-20-511-001 are the only adjacent lots being affected by retaining wall height increase. Staff finds that the proposed retaining walls are the result of necessary modifications to the site due to the drainage needs of the proposed subdivision. With that said, while staff does appreciate the increase in retaining wall height are the result of these drainage considerations, there are several alternatives that are provided within Title 30 that can be utilized to either minimize or completely remove this waiver. Staff finds more could be done to redesign the affected portion of the site to reduce the height of the retaining walls. For these reasons, staff cannot support this request.

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:

- Until April 2, 2029 to commence to match the current expiration of DR-25-0195 and TM-25-500030.
- Applicant is advised 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- 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 #0025-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

CONTACT: WESTWOOD PROFESSIONAL SERVICES, 5725 W. BADURA AVENUE,
SUITE 100, LAS VEGAS, NV 89118