

12/17/24 PC AGENDA SHEET

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-24-0580-CANKIDS INVESTMENTS 2012, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase retaining wall height; and **2)** increase fill height.

**DESIGN REVIEW** for modifications to a previously approved single-family residential subdivision on 15.87 acres in an RS3.3 (Residential Single-Family 3.3) Zone and an RS20 (Residential Single-Family 20) Zone within the Neighborhood Protection (RNP) Overlay.

Generally located on the west side of Gagnier Boulevard and the south side of Wigwam Avenue within Enterprise. JJ/mh/kh (For possible action)

RELATED INFORMATION:

**APN:**  
176-16-301-010; 176-16-301-033 through 176-16-301-034

- WAIVERS OF DEVELOPMENT STANDARDS:**
1. Increase the height of a proposed retaining wall to 7 feet where the maximum of 3 feet is permitted per Section 30.04.03C (a 133% increase).
  2. Increase fill height to 7 feet where a maximum of 3 feet is allowed to be placed within 5 feet of a shared residential property line per Section 30.04.06F (a 133% increase).

**LAND USE PLAN:**  
ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)  
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**  
**Project Description**

- General Summary
- Site Address: N/A
  - Site Acreage: 15.87
  - Project Type: Increase retaining wall height, increase fill height, and proposed model home additions

History and Site Plan  
The subject site was previously approved via ZC-23-0921 in April 2024, which included a zone change to reclassify a 2.6 acre portion of the site from R-E (RNP-I) to R-2 (now RS3.3) zoning. The remainder of the subdivision maintained an R-E (now RS20) zoning. There were associated waivers of development standards for net lot area, street landscaping, off-site improvements, and street intersection off-set configuration, and a design review for a 45 lot single-family residential subdivision (25 lots zoned for R-E (RNP-I) and 20 lots zoned for R-2). The applicant is

requesting to increase retaining wall height and increase fill height in various areas within the previously approved subdivision.

The plans depict retaining walls up to 3 feet in height located along the east side of APNs 176-16-301-033 and 176-16-301-034, the southern portion of APN 176-16-301-033, and throughout internal portions of the subdivision. A retaining wall up to 4 feet in height is shown on a portion of the southeast side of Lot 32, which is part of APN 176-16-301-033. Retaining walls up to 5 feet in height are depicted along the west side of Lots 30 and 31, the south side of Lot 18, and around the north, south, and west sides of Lot 38. Retaining walls up to 6 feet in height are shown on the east side of Lot 27, the south side of Lot 19, and the west side of Lot 23, all of which are within APN 176-16-301-033. Retaining walls up to 7 feet in height are shown on the west side of Lot 39, the east side of Lots 11 and 12, and the east side of Lots 25 and 26.

The applicant is also proposing to increase the fill height up to 7 feet along the east property lines of Lots 25, 26, and 27, in addition to the south property line of Lot 32. These lots are primarily located on the southeast corner of the subdivision.

#### Landscaping

The plans approved under ZC-23-0921 depict landscaping with detached sidewalks on Wigwam Avenue, Gagnier Boulevard, and Ford Avenue. Along Cougar Avenue, landscaping with a detached sidewalk is shown adjacent to the proposed RS20 (NPO-RNP) subdivision. Adjacent to the proposed attached sidewalk with no landscaping is shown on Cougar Avenue, with the whole frontage being used for 6 lots with direct access to the street. There are no proposed changes to landscaping associated with this application.

#### Elevations & Floor Plans

The applicant is proposing 2 new plans, which are labeled Plan 3932 and Plan 2061. Plan 3932 is a single-story residence with a peak height of 21 feet 2 inches, a pitched roof featuring concrete tile, a roll-up garage door, and a stucco finish with stone veneer and wood fascia. The floor plan layout is 3,932 square feet, which includes 4 bedrooms, 4 bathrooms, a 2 car garage, and a den/study room. Plan 2061 is a 2 story residence with a peak height of 25 feet 10 inches, a pitched tile roof, roll-up garage door, and stucco finish. The floor plan layout is 2,061 square feet, which includes 3 bedrooms, 3 bathrooms, and a 2 car garage. The following layouts were approved via ZC-23-0921 and will remain: Plan 2270, Plan 2640, and Plan 4240. Two other layouts were also approved that are no longer proposed: Plan 4001 and Plan 4345.

#### Applicant's Justification

The applicant states the site constraints require an increase in perimeter retaining wall height. The constraints include flat existing north-south grades across the site, matching historic drainage patterns, and existing perimeter grade and perimeter streets. Where the increased retaining wall height is along a street, an offset planter wall up to 4.5 feet will be installed. Where the increased retaining wall height is internal to the subdivision, scarping or additional walls will be utilized to make up the remaining grade difference. The increased retaining wall heights and increased fill will allow the project to meet minimum interior street slopes and sewer design, while maintaining drainage patterns. The site is not being artificially raised for enhanced views.

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>   | <b>Date</b>  |
|---------------------------|--|-----------------|--------------|
| ZC-23-0921                | Reclassified 2.6 acres from an R-E (RNP-I) Zone to an R-2 Zone   | Approved by BCC | April 2024   |
| TM-23-500191              | 45 lot single-family residential subdivision   | Approved by BCC | April 2024   |
| VS-23-0922                | Vacated and abandoned easements and portions of rights-of-way  | Approved by BCC | April 2024   |
| ZC-1026-05                | Reclassified approximately 3,800 parcels from an RS20 (formerly R-E Zone) to an RS20 NPO-RNP (formerly R-E (RNP-I) Zone) | Approved by BCC | October 2005 |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>  | <b>Zoning District (Overlay)</b> | <b>Existing Land Use</b>   |
|-------|---|----------------------------------|--|
| North | Ranch Estate Neighborhood (up to 2 du/ac) & Low-Intensity Suburban Neighborhood (up to 5 du/ac) | RS20 (NPO-RNP)                   | Single-family residences   |
| South | Ranch Estate Neighborhood (up to 2 du/ac) & Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | RS20 (NPO-RNP) & RS5.2           | Single-family residences & undeveloped                                   |
| East  | Ranch Estate Neighborhood (up to 2 du/ac)   | RS20 (NPO-RNP)                   | Single-family residences & undeveloped                                   |
| West  | Neighborhood Commercial & Mid-Intensity Suburban Neighborhood (up to 8 du/ac)                   | RS20, CG, & RS3.3                | Single-family residences, undeveloped parcels, & mini-warehouse facility |

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

**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**

Waivers 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.

Staff has no objection to the proposed increases to retaining wall height and fill, as the unique and natural topography of the subject site results in areas that are set at a lower grade, both

within the subdivision and between the subdivision and the adjacent residential developments. Staff finds that the increased retaining wall height and fill will have minimal impact are unlikely to have any adverse effects on the adjacent properties or the surrounding area. Therefore, staff can support these requests.

### Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff has no objection to the architectural style of the proposed residences, which have features that would complement the existing residences in the area. Therefore, staff can support this request.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Comprehensive Planning**

- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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**

- Drainage study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 25 feet to the back-of-curb for Cougar Avenue and associated spandrels;
- The installation of detached sidewalks will require the vacation of excess right-of-way, dedication to back-of-curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices.

**Fire Prevention Bureau**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended.

**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 #0386-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:** Enterprise - approval (waiver of development standard #1 allow maximum 4 foot retaining walls and waiver of development standard #2 allow a maximum 4 feet of fill).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** GREYSTONE NEVADA, LLC

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