

03/08/23 BCC AGENDA SHEET

FINISHED GRADE & WALL HEIGHT
(TITLE 30)

COUGAR AVE/LA CIENEGA ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-23-400003 (WS-20-0512)-B & R FOUR, LLC:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME to increase wall height.

DESIGN REVIEWS for the following: **1)** increase finished grade; and **2)** a single family residential development on 4.1 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southwest corner of Cougar Avenue and La Cienega Street within Enterprise. MN/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

177-16-701-027 & 177-16-701-031

WAIVER OF DEVELOPMENT STANDARDS:

Increase wall height to 10 feet (up to 4 foot retaining wall with a 5 foot screen wall and 1 foot of decorative wrought iron) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (a 33% increase).

DESIGN REVIEWS:

1. Increase finished grade to 48 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 33.3% increase where 166% was previously approved).
2. Single family residential development.

LAND USE PLAN:

ENTERPRISE - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.1
- Number of Lots: 6
- Density (du/ac): 1.5
- Minimum/Maximum Lot Size (square feet): 21,070/41,320
- Project Type: Single family residential development/increased finished grade/wall height

Previous Conditions of Approval

Listed below are the approved conditions for WS-20-0512:

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

- Compliance with approved drainage study PW20-17385;
- 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.
- 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.

Site Plan

The approved plan depicts 2, approximately 2 acre parcels that are proposed to be subdivided into 6 lots. The western property line for the southern 2 acres will have a 10 foot wall that includes up to 4 feet of retaining wall, 5 feet of CMU block, and 1 foot of wrought iron at the top. The retaining wall along the west property line is intended to hold up to 4 feet of increased fill on the property. The neighboring properties to the west will be up to 4 feet lower than the proposed grade on this property. The Code has changed since the original approval, and now allows up to 36 inches of increased finished grade where 18 inches was previously allowed. All 6 of the proposed lots will meet the R-E zoning minimum gross and net lot sizes.

Applicant's Justification

The applicant is requesting an extension of time for the developer to have improvement plans approved and the parcel map recorded.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-20-0512	Increased wall height, with design reviews for increased finished grade for a single family development	Approved by BCC	January 2021
ZC-1026-05	Reclassified from R-E to R-E (RNP-I) zoning	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, East, & West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	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 2 permits in process; 1 with the Building Department and 1 with Fire Prevention. Steps have been taken towards commencement of the project, and for this reason staff can support this extension.

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

PRELIMINARY STAFF CONDITIONS:**Current Planning**

- Until January 6, 2025 to commence.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTEST:

APPLICANT: THOMASON CONSULTING ENGINEERS

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