

07/15/25 PC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-25-0418-COUNTY OF CLARK(AVIATION):

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height in conjunction with an approved single-family residential development on 4.37 acres in an RS3.3 (Residential Single-Family 3.3) Zone.

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

RELATED INFORMATION:

APN:

163-20-604-002

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Allow a 4 foot high retaining wall along a portion of the south property line where 3 feet is the maximum allowed per Section 30.04.03C (a 33% increase).
- b. Allow a 6 foot high retaining wall along the east property line 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: 4.37
- Project Type: Increase retaining wall height
- Number of Lots: 25

Site Plan, History, & Site Plan

The site was previously approved for a single-family residential development consisting of 25 lots and 2 common lots on 4.37 acres with a total density of 5.72 dwelling units per acre through WS-25-0139 and TM-25-500031 in April 2025. The site was also concurrently rezoned to the RS3.3 zone through ZC-25-0138. The previously approved plans showed access to the development was provided from El Capitan Way to the west. The internal street was shown to be a 42 feet wide private street, that terminates as cul-de-sac at the north and south ends 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 5,025 square feet and 7,334 square feet. While the previous approved cross sections showed 2.5 feet high retaining walls along the east property line and no

retaining wall along the south property line, the proposed cross sections now show retaining walls being proposed along the east property line up to 6 feet tall, and along a portion of the south property line up to 4 foot 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 asserts that the subdivision must meet certain conditions for effective drainage. The grade of Street A would have to be higher beginning from El Capitan Way, which slopes down towards Street B. Street B, which runs north to south, must have a slope that starts higher at the north end and gradually descends towards the south end. Therefore, the grade along the east property line is necessary to be higher, with the grade sloping downwards to Street B. The increase of the grade fill, the proposed retaining wall height, is necessary to exceed the height limit of over 3 feet high. 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
ZC-25-0138	Reclassified APN 163-20-201-009 and 163-20-604-002 from RS20 to RS3.3	Approved by BCC	April 2025
VS-25-0137	Vacated and abandoned easements and rights-of-way on APN 163-20-201-009 and 163-20-604-002	Approved by BCC	April 2025
TM-25-500031	25 lot single-family residential subdivision	Approved by BCC	April 2025
WS-25-0139	Reduced street intersection off-set in conjunction with a proposed single-family residential subdivision	Approved by BCC	April 2025
VS-1706-95	Vacated and abandoned University Avenue and patent easements	Approved by BCC	December 1995

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	Single-family residential
East	Public Use	RS20	Undeveloped
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS5.2	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. 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. APN 163-20-604-003, which is the only adjacent lot being affected by retaining wall height increase, is currently undeveloped and has a land use designation of Public Use and will most likely be developed with uses other than residential use. For these reasons, 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

- Until April 2, 2029 to commence to match the current expiration of WS-25-0139 and TM-25-500031.
- Applicant is advised a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; 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 #0026-2025 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: PN II, INC.

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