

06/21/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

GRAND CANYON DR/FORD AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0241-AMH NV14 DEVELOPMENT, LLC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** increase wall height; and **2)** non-standard improvements.

**DESIGN REVIEW** for finished grade on 5.5 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east and west sides of Grand Canyon Drive and the south side of Ford Avenue within Enterprise and Spring Valley. JJ/sd/syp (For possible action)

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RELATED INFORMATION:

**APN:**

176-18-401-005; 176-18-801-001

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase block wall height to 18 feet 6 inches (up to 12 foot 6 inches retaining with 6 foot screen wall) where a maximum of 9 feet (3 foot retaining with 6 foot screen wall) is permitted per Section 30.64.050 (100% increase).
2. Allow non-standard improvements (existing landscaping) within the right-of-way (Sahara Avenue) where not permitted per Chapter 30.52.

**DESIGN REVIEW:**

Increase finished grade to 150 inches where 51 inches was previously approved (184% increase) and a maximum of 36 inches is the standard per Section 30.32.040 (a 317% increase).

**LAND USE PLAN:**

SPRING VALLEY- MAJOR DEVELOPMENT PROJECT (RHODES RANCH) - SINGLE FAMILY RESIDENTIAL  
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 5.5
- Number of Lots: 42
- Density (du/ac): 7.7

- Minimum/Maximum Lot Size (square feet): 3,317/6,578
- Project Type: Single family residential
- Number of Stories: 2
- Building Height (feet): Up to 26
- Square Feet: 2,052/2,300

#### Site Plan & History

The plans depict a single family residential development totaling 42 single family lots and 5 common area lots on 5.5 acres. The density of the residential subdivision is 7.7 dwelling units per acre. The lots range in size from a minimum of 3,317 square feet to a maximum of 6,578 square feet. Along the Grand Canyon Drive alignment an amendment to the Transportation Element was approved to eliminate the roadway from the plan (between Pebble Road and Ford Avenue). Therefore, the design of this development does not show Grand Canyon Drive going through. Access to the development is shown from Ford Avenue to the north. The lots within the subdivision will be served by 48 foot wide internal public streets, which include an attached sidewalk on both sides of the street.

The application submitted is for an increase in finished grade and a waiver of development standards for increased wall height. The request also includes an increase in finished grade higher than what was previously approved under ZC-21-0590.

#### Landscaping

A 6 foot wide landscape area is shown behind an attached sidewalk along Ford Avenue. Internal to the development a street landscape buffer is shown on both sides of the entry street. A waiver of development standards request is for an increase in wall height. The proposed increase in wall height is located along the western and southern property lines. The second waiver is for non-standard improvements in the existing right-of-way along Ford Avenue.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states the request for increase fill along the south and west edge of the site is to address natural elevation changes in the topography of the land. This increased fill is adjacent to a natural drainage way and is required to protect the development. The request is to install a single retaining wall at 12 feet 6 inches in height without terracing due to the possible erosion factor of the 100 year storm flows that could impact the retaining wall. The wall would be required to be a solid structure; therefore, a terracing effect could render the structure unsafe and could cause a failure of the wall. This increased finished grade and retaining wall height would be facing a natural drainage way and would not impact the surrounding development. This additional wall height and fill have already been approved by Clark County Public Works with the technical drainage study. To further increase the waiver of the retaining wall height up to 12.5 feet where 4 feet was previously approved with NZC-21-0590, and 3 feet is the standard per section 30.64.050. The second waiver being requested is to allow non-standard improvements located within the public right-of-way, more specifically for an irrigation crossing at the entrance of the previously approved development.

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>  | <b>Action</b>   | <b>Date</b>   |
|---------------------------|---|-----------------|---------------|
| ZC-21-0590                | Reclassified 5.5 acres from R-E to R-2 zoning, waivers for establish alternative yards, increased wall height, and reduced street intersection off-set, and design reviews for finished grade for a single family residential development | Approved by BCC | December 2021 |
| TM-21-500166              | Residential subdivision on Grand Canyon Drive and Ford Avenue   | Approved by BCC | December 2021 |
| VS-21-0591                | Vacated and abandoned easements and right-of-way  | Approved by BCC | December 2021 |
| PA-21-700003              | Plan amendment to the Transportation Element for Grand Canyon Drive (between Pebble Road and Ford Avenue)   | Adopted by PC   | November 2021 |

**Surrounding Land Use**

|       | <b>Planned Land Use Category</b>  | <b>Zoning District</b> | <b>Existing Land Use</b>                              |
|-------|---|------------------------|---|
| North | Major Development Project (Rhodes Ranch) - Single Family Residential; Multiple Family Residential; & Open Lands | R-3 & P-F              | Single family residential & Forbuss Elementary School |
| South | Major Development Project (Rhodes Ranch) - Mid-Intensity Suburban Neighborhood & Open Lands                     | R-E                    | Blue Diamond Wash                                     |
| East  | Compact Neighborhood  | R-E                    | Undeveloped   |
| West  | Mid-Intensity Suburban Neighborhood (up to 8 du/ac)   | R-E                    | Undeveloped   |

APN 176-18-401-005 is located in the Public Facilities Needs Assessment (PFNA) area.

**STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

**Analysis****Comprehensive Planning**Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

#### Waiver of Development Standards #1

The proposed retaining wall is due to the natural low areas and topography of the site. The primary reasoning for the request for the over height wall is due to the land slopes adjacent to a natural drainage way. The applicant has requested an increase in wall height to 18 feet, 6 inches without terracing due to possible erosion of the existing 100 year storm flows. Staff finds the combined wall height of 18 feet and 6 inches will have significant impacts to the surrounding area or adjacent development; therefore, staff cannot support this request.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2

The applicant is responsible for maintenance and up-keep of any non-standard improvement; the County will not maintain any irrigation crossings placed in the right-of-way. Staff can support waiver of development standards #2 but the applicant must execute and sign a License and Maintenance Agreement for any non-standard improvements within the right-of-way.

##### Design Review

This design review represents the maximum grade difference within the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

#### **Staff Recommendation**

Approval of waiver of development standards #2 and the design review; denial of waiver of development standards #1.

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:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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; 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**

- Comply with approved drainage study PW22-12345;

- 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 License and Maintenance Agreement for any non-standard improvements within the right-of-way.
- 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.

**Fire Prevention Bureau**

- No comment.

**Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AMH DEVELOPMENT, LLC

**CONTACT:** THE WLB GROUP, 3663 E. SUNSET ROAD, SUITE 204, LAS VEGAS, NV 89120