

RETAINING WALL/LANDSCAPING
(TITLE 30)

ROSADA WY/KEVIN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0017-ADAMS 1979 TRUST & ADAMS JEFFREY K & DONNA K CO-TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase retaining wall height; and **2)** eliminate landscaping in conjunction with a single family residential development on 3.6 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the south side of Rosada Way, the west side of Kevin Way, and the north side of La Madre Way within Lone Mountain. RM/jud/syp (For possible action)

RELATED INFORMATION:

APN:

125-32-304-002; 125-32-304-005 through 125-32-304-006

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the screen wall and retaining wall heights to 12 feet (6 feet retaining wall and 6 feet screening wall) where 9 feet is permitted per Section 30.64.050 (a 33.4% increase).
2. Eliminate perimeter landscaping where required per Table 30.64-1.

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.6
- Number of Lots: 6
- Project Type: Increase retaining wall height
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Site History

The approved plans for DR-21-0739 depict a 6 lot single family residential subdivision. Access to the 5 northern lots is provided by a 39 foot wide private street from Kevin Way on the east side of the site. Access within the subdivision includes a “T” intersection from the main private street with a private north/south stub street. The southwestern parcel will receive direct access from La Madre Way on the south side of the site.

The original plans depict a 6 foot wide landscape strip along Kevin Way, north of the entrance to the subdivision, and Rosada Way. Landscaping along Kevin Way, south of the entrance to the subdivision, includes an 11 foot wide landscape strip.

The approved plans depict an increased finished grade up to 90 inches, tiered retaining walls consisting of a 3.3 foot retaining wall and 2.7 foot retaining wall (6 feet total height of retaining walls) within an 11 foot landscape area along the southern portion of Kevin Way with a 6 foot high screen wall on top. A combination 6 foot high retaining wall and 6 foot high screen wall, up to a maximum of 12 feet, is allowed along the perimeter local street since a minimum 6 foot wide landscape strip was proposed along Kevin Way. Also, a 3 foot high retaining wall with a 6 foot high screen wall was proposed adjacent to the existing perimeter block wall on the north and west sides of the existing single family residence at the northwest corner of Kevin Way and La Madre Way.

Site Plans

The plans for this request show the same layout of the 6 lot single family residential subdivision approved per DR-21-0739. The applicant is requesting a waiver of development standards to allow the following:

- 1) Along Kevin Way, south of the entrance to the subdivision, a 6 foot high retaining wall with a 6 foot high screen wall while eliminating the previously approved 11 foot landscape strip (6 feet of landscaping is required for this wall height).
- 2) Along Kevin Way, north of the entrance to the subdivision, a 6 foot high retaining wall with a 6 foot high screen wall while eliminating the previously approved 6 foot landscape strip required for this wall height.
- 3) Along Rosada Way, a 3 foot high retaining wall with a 6 foot high screen wall, eliminating the approved 6 foot landscape strip along Rosada Way.

Applicant's Justification

The applicant states that the additional wall height is needed to accommodate the change in elevation from the northwest corner to the southwest corner of the site while trying to maximize the buildable lot size. Furthermore, the applicant is requesting to omit the previously approved landscape strips as water conservation efforts for the proposed development is a point of concern in the area. Due to the rural area of the proposed development, landscaping is not required under normal situations and surrounding properties are not currently providing landscaping.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-21-0739	Single family residential subdivision and increased finished grade	Approved by BCC	February 2022
VS-21-0740	Vacated easements of interest to Clark County	Approved by BCC	February 2022
TM-21-500211	6 lot single family subdivision	Approved by BCC	February 2022

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0296-01	Reclassified the site and various parcels in Lone Mountain to R-E (RNP-I) zoning	Approved by BCC	September 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential
East	Public Use	R-E (RNP-I)	Undeveloped
West	Ranch Estate Neighborhood (up to 2 du/ac)	R-E (RNP-I)	Single family residential & undeveloped

STANDARDS FOR APPROVAL:

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

Analysis**Comprehensive Planning**

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.

The proposed single family residential subdivision complies with Title 30 standards, and is consistent with policies in the Master Plan. For example, Policy 1.5.1 supports the protection of existing Rural Neighborhood Preservation (RNP) areas, and Policy 1.5.2 seeks to minimize conflict with in-fill development within an RNP. Here, the subdivision is consistent with the surrounding single family residential homes in the RNP area. However, the fact that the applicant is seeking to increase the retaining wall height and eliminate all the previously approved landscaping will create a canyon effect of the area with no mitigating elements. Water conservation can be achieved by planting the appropriate landscaping without having to eliminate it. Additionally, the proposed retaining wall height is not tiered as previously approved and is exposed to the perimeter of the development. Therefore, staff cannot support these requests.

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:

- 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

- No comment.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: THE ADAMS 1979 TRUST; ADAMS JEFFEREY K & DONNE K CO-TRS

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