

RESIDENTIAL DEVELOPMENT
(TITLE 30)

UPDATE
RAINBOW BLVD/AZURE DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-22-0076-HUERTA, JORGE:

HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow proposed single family residential lots to have access to an arterial street (Rainbow Boulevard) where not permitted; **2)** increase wall height; and **3)** waive full off-site improvements.

DESIGN REVIEWS for the following: **1)** proposed single family residential development; and **2)** finished grade on 1.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the east side of Rainbow Boulevard and the south side of Azure Drive within Lone Mountain. MK/rk/jo (For possible action)

RELATED INFORMATION:

APN:

125-26-201-025

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow 2 proposed single family residential lots to have access to an arterial street (Rainbow Boulevard) where not permitted per Section 30.56.080.
2. Increase block wall height to 11 feet (up to 5 foot 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 (a 22% increase).
3. Waive full off-site improvements (partial paving, curb, gutter, sidewalk, and streetlights) along Rainbow Boulevard where required per Section 30.52.050.

DESIGN REVIEWS:

1. Single family residential development.
2. Increase finished grade to 58 inches where a maximum of 36 inches is the standard per Section 30.32.040 (a 61% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: N/A

- Site Acreage: 1.5
- Number of Lots: 3
- Density (du/ac): 2.0
- Minimum/Maximum Lot Size (square feet): 21,344/23,086
- Project Type: Single family residential

Site Plan

The plan depicts a proposed single family residential development consisting of 3 lots with a density of 2.0 dwelling units per acre. Two of the 3 lots have frontage along Rainbow Boulevard to the west. Rainbow Boulevard is an arterial street, and a waiver of development standards is required to allow access to this street. The request also includes a waiver of development standards to increase the height of retaining walls. The plans indicate the increases for retaining wall height are for the areas on the southern and eastern perimeter walls. Additionally, Rainbow Boulevard will be constructed to non-urban standards with 32 feet of pavement instead of the full pavement, and without curb, gutter, sidewalk, and streetlights normally required for an arterial street.

Elevations

The single family residences are proposed to be custom homes; therefore, there are no elevations or floor plans submitted with this request.

Applicant's Justification

The applicant indicates that the increased height of the retaining walls is necessary to provide positive drainage for the proposed development. The site slopes approximately 5 feet from the intersection of Rainbow Boulevard and Azure Drive toward the southeast corner of the site. Per Code requirement, the finished floor must be 18 inches above the grade of the street. To comply with this requirement the finished floor and portions of the yards will require additional fill. Additionally, the waiver to allow access to Rainbow Boulevard is for 2 of the 3 lots and each of those lots exceeds 110 feet in width. Both lots will provide a circular driveway for better visibility. The applicant also indicates the project is located in a rural area and similar waivers of development standards have been approved in the area.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|------------------------|---------------------------|
| North | City of Las Vegas | R-PD2 | Single family residential |
| South | Ranch Estate Neighborhood (up to 2 du/ac) | R-E | Undeveloped |
| East | Ranch Estate Neighborhood (up to 2 du/ac) | R-E (RNP-I) | Single family residential |
| West | City of Las Vegas | R-E | 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

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 & Design Review #1

Even though the driveways within this development will be circular in design, thereby preventing any backing into the public right-of-way, there have been traffic issues in other areas of unincorporated Clark County where single family residential dwellings have direct access to arterial and collector streets. Although the current volume of traffic may be minimal, staff finds that as the surrounding area develops, traffic will increase, possibly to the point of requiring Rainbow Boulevard being developed to its full width. With an increased volume of traffic, safety issues may develop with vehicles entering and exiting the residential lots. Staff finds the requested waiver of development standard and design review may create public safety and traffic issues, and that the proposed request is a self-imposed hardship due to the overall configuration and design of the site. Therefore, staff cannot support these requests.

Waiver of Development Standards #2

Portions of the perimeter retaining wall heights along southern and eastern walls are proposed to be increased approximately 22% to accommodate street drainage, natural topography, and corresponding pad heights. While the topography of the site may warrant an increase to the overall wall height along portions of the boundary of the development, staff cannot support this request due to the recommendation of denial for waiver of development standards #1 and design review #1.

Public Works - Development Review

Waiver of Development Standards #3

Staff cannot support the request to not install full off-site on Rainbow Boulevard and Azure Drive when there are existing full improvements west of the site on Rainbow Boulevard and on the north side of Azure Drive. Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

Design Review #2

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. However, since Planning is recommending denial of the application, staff cannot support this waiver.

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:

Current Planning

If approved:

- 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

- Drainage study and compliance;
- 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 Restrictive Covenant Agreement (deed restrictions).
- 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; and that off-site improvement permits may be required.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated County; and to inquire with the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC:

APPROVALS:

PROTESTS: 3 cards

COUNTY COMMISSION ACTION: April 6, 2022 – HELD – To 04/20/22 – per Commissioner Kirkpatrick.

COUNTY COMMISSION ACTION: April 20, 2022 – HELD – To 05/04/22 – per Commissioner Kirkpatrick.

APPLICANT: JORGE HUERTA

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