

03/22/23 BCC AGENDA SHEET

SINGLE FAMILY RESIDENCE
(TITLE 30)

STEWART AVE/VISTA VALLEY ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-23-0022-MONTES JOSE ISABEL:

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.

DESIGN REVIEW for finished grade in conjunction with a future single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the west side of Vista Valley Street, 210 feet south of Stewart Avenue within Sunrise Manor. TS/al/syp (For possible action)

RELATED INFORMATION:

APN:

140-35-302-006

WAIVER OF DEVELOPMENT STANDARDS:

Increase retaining wall height to 6 feet where a maximum of 3 feet is permitted per Section 30.64.050 (a 100% increase).

DESIGN REVIEW:

Increase finished grade to 104 inches where a maximum of 36 inches is the standard per Section 30.52.040 (a 188.9% increase).

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 365 Vista Valley Street
- Site Acreage: 0.5
- Project Type: Increase retaining wall height and finished grade

Site Plan

The request is to increase finished grade and retaining wall height for the parcel in conjunction with a future single family residence. The parcel will take access from Vista Valley Drive by a driveway located on the southeast corner of the parcel. The pad site for the future residence is located in the central portion of the eastern half of the parcel. The parcel has a downward slope from the east to the west with an approximate 11 foot reduction in grade. The plans show 2

separate 6 foot high retaining walls within the rear portion of the property. The first wall is set back approximately 6 feet from the west (rear) property line and the second wall is set back approximately 5 feet from the first wall. The plans show the increase in finished grade will range from 1.9 feet for the pad site of the future residence in the eastern portion of the parcel to 8.6 feet in the western portion of the parcel adjacent to the proposed retaining walls.

Applicant's Justification

The applicant indicates that the increase in finished grade and retaining wall height are necessary to allow for a level building pad for the future residence, and to allow for positive drainage for the majority of the site to the existing streets.

Surrounding Land Use

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

Waiver 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.

The existing topography of a site could be a unique or special circumstance to warrant an increase in retaining wall height. However, staff does not find that this site has existing topography issues to constitute a unique or special circumstance for this property. There are existing single family residences on the parcels to the north, south, and west of this site. Based on the elevation contours on the site plan submitted by the applicant and drainage information on file with the County, these adjacent developed parcels have similar topography on the site. These adjacent parcels were developed without the need to increase the height of retaining walls. Given the existing development in the area and the size of the parcel, staff finds there are other options to leveling out the site than constructing 2 retaining walls each at 6 feet in height within the rear portion of the site.

Public Works - Development Review

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

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:

- 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 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.

Fire Prevention Bureau

- 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 #0049-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTESTS:

APPLICANT: JOSE MONTES

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