10/06/26 PC AGENDA SHEET

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-26-0533-REID KELLY SEPARATE PROPERTY TRUST & REID KELLY TRS:

WAIVER OF DEVELOPMENT STANDARDS to increase retaining wall height in conjunction with an existing single-family residence on 0.93 acres in an RS20 (Residential Singel-Family 20) Zone.

Generally located east of Schuster Street and north of Le Baron Avenue within Enterprise. JJ/ji/kh (For possible action)

RELATED INFORMATION:

APN:
177-30-508-002

WAIVER OF DEVELOPMENT STANDARDS:
1. a. Increase retaining wall height along Schuster Street to 4 feet where a maximum of 3 feet is permitted per Section 30.04.03C (a 33% increase).
   b. Increase retaining wall height along Le Baron Avenue to 4 feet where a maximum of 3 feet is permitted per Section 30.04.03C (a 33% increase).

LAND USE PLAN:
ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: 3920 W. La Baron Avenue
- Site Acreage: 0.93
- Project Type: Single-family residential
- Number of Lots/Units: 1

Site Plan
The plan depicts a single-family residence with access provided from Le Baron Avenue to the south. There are existing walls along the west and south property lines. However, due to construction of curb, gutter, and sidewalks along Schuster Street and Le Baron Avenue, proposed retaining walls up to 4 feet are required in order to retain existing conditions of the subject parcel.

Applicant's Justification
The applicant states the waiver for the increase of the retaining wall height was due to the construction of curb, gutter, and sidewalk adjacent to an existing home.

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, West, & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS20	Single-family residential

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

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.

Although staff does not typically support requests to increase retaining wall heights in single-family residential developments the increase in retaining wall height is to provide curb, gutter and sidewalks. Staff does not anticipate any negative impacts to the existing neighborhood; and therefore, 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
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; 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

- Full off-site improvements.

Fire Prevention Bureau

- No comment.

Southern Nevada Health District (SNHD) - Engineering

- Applicant is advised to contact the SNHD Environmental Health Division at septics@snhd.org or (702) 759-0660 to obtain written approval for a Tenant Improvement, so that SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.
APPROVALS:
PROTESTS:

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