

WALL HEIGHT
(TITLE 30)

HUALAPAI WY/OLETA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-21-0189-AMH NV8 DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to increase the retaining wall height in conjunction with a single family residential development on 13.6 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the south side of Agate Avenue and the east side of Hualapai Way within Enterprise. JJ/lm/jd (For possible action)

RELATED INFORMATION:

APN:

176-19-201-031

WAIVER OF DEVELOPMENT STANDARDS:

Increase combination of screen and retaining wall height to 12 feet (6 foot screen wall and 6 foot retaining) where a maximum of 9 feet (6 foot screen wall and 3 foot retaining) is permitted per Section 30.64.050 (a 33.3% increase).

LAND USE PLAN:

ENTERPRISE - PUBLIC FACILITIES

ENTERPRISE - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 13.6
- Project Type: Increase retaining wall height

Site Plans

The plans depict a single family residential subdivision on 13.6 acres on the east side of Hualapai Way and the north side of Oleta Avenue. Access to the lots are from Oleta Avenue (60 foot wide public street) on the south, Conquistador Street (60 foot wide public street) on the east. An interior spine street (private street 41 feet wide) runs from Hualapai Way to Conquistador Street, with 4 interior cul-de-sac streets (private street 41 feet wide). Lots range in size from 3,318 square feet to 5,736 square feet.

Landscaping

The plans depict street landscaping, per Title 30 standards, located along Hualapai Way (15 feet wide) with a detached sidewalk. Landscaping is also provided along the south side of the spine street. Sidewalks are provided along 1 side of the private street's interior to the subdivision. The retaining wall height increase is located along the west side of the development behind the 15 foot wide street landscaping adjacent to Hualapai Way. The requested retaining wall is up to 6 feet high where 3 feet is allowed with a 6 foot screen wall for an overall height of 11 feet. The 6 foot high screen wall is visible from Hualapai Way, with the overall retaining and screen wall visible interior to the subdivision.

Applicant's Justification

The applicant indicates that the proposed perimeter wall height occurs along the west side of the subdivision where the street grade for Hualapai Way is elevated to accommodate public storm drain facilities within the street right-of-way. The subdivision grade for the adjoining lots are lower than Hualapai Way; therefore, the wall height will appear to be 6 feet from the public street side.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------------|---|-----------------|---------------|
| ADET-20-900155 (NZC-0872-16) | First extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision | Approved by ZA | March 2020 |
| ET-19-400144 (WS-0850-17) | First extension of time to reduce street intersection off-set and modified street improvement standards for a single family residential subdivision | Approved by PC | December 2019 |
| DA-19-900116 | Standard development agreement | Approved by BCC | May 2019 |
| VS-18-0424 | Vacated and abandoned easements | Approved by PC | July 2018 |
| VS-0919-17 | Vacated and abandoned easement | Approved by PC | December 2017 |
| WS-0850-17 | Reduced street intersection off-set and modified street improvement standards for a single family residential subdivision | Approved by PC | November 2017 |
| TM-0162-17 | 117 lot single family residential subdivision for the subdivision to the south | Approved by PC | November 2017 |
| ZC-0470-17 | Reclassified 2.5 acres from R-E to R-2 zoning and design review on 14.7 acres for a single family residential to the south | Approved by BCC | July 2017 |
| NZC-0872-16 | Reclassified 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision | Approved by BCC | March 2017 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--|------------------------|---------------------------|
| North | Commercial Neighborhood | H-2 | Undeveloped |
| South | Public Facilities & Residential Suburban (up to 8 du/ac) | R-2, R-E, & H-2 | Undeveloped |
| East | Residential Suburban (up to 8 du/ac) | R-2 & H-2 | Single family residential |
| West | Residential Rural (up to 0.5 du/ac) | R-U & H-2 | Undeveloped |

Related Applications

| Application Number | Request |
|-------------------------------|--|
| ET-21-400066 (NZC-0872-16) | A second extension of time to reclassify 15.2 acres from H-2 & R-E to R-2 zoning for a single family residential subdivision is a companion item on this agenda. |
| TM-21-500046 | A tentative map for a 109 lot single family residential subdivision is a companion item on this agenda. |

STANDARDS FOR APPROVAL:

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

Analysis**Current 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 increased retaining wall height is only for a portion of the site, is set back for landscaping, and a 6 foot screen wall will be visible from Hualapai Way, which is an appropriate buffer. The request is consistent with Urban Specific Policy 39 of the Comprehensive Master Plan, which encourages, in part, appropriate buffers for single family residential developments. Furthermore, staff supports additional time for the expiration of the request to be commensurate with the companion tentative map. With the aforesaid considerations, staff has no objection to 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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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 4 years of approval date or it will expire.

Public Works - Development Review

- Update drainage study PW20-20459 to reflect current project plans.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: THOMASON CONSULTING ENGINEERS

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