

11/03/21 BCC AGENDA SHEET

FINISHED GRADE  
(TITLE 30)

**UPDATE**  
VERDE WAY/JENSEN ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-21-0447-GILBERT, DAN & CLAUDIA:**

**HOLDOVER WAIVER OF DEVELOPMENT STANDARDS** to increase the proposed retaining wall height.

**DESIGN REVIEW** for finished grade in conjunction with a proposed single family residence on 2.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the southeast corner of Verde Way and Jensen Street within Lone Mountain. RM/jor/jo (For possible action)

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RELATED INFORMATION:

**APN:**

125-31-403-004

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the proposed retaining wall height to 9 feet where 3 feet is the maximum allowed per Section 30.64.050 (a 200% increase).

**DESIGN REVIEW:**

Increase finished grade to 136 inches (11.3 feet) where a maximum of 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 655% increase).

**LAND USE PLAN:**

LONE MOUNTAIN - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 4870 N. Jensen Street
- Site Acreage: 2.5
- Project Type: Increased retaining wall height and finished grade

**Site Plan**

The site plan depicts a proposed single family residence on the southern portion of the subject parcel and a detached garage on the northeast corner of the site. The main driveway is located along the west property line adjacent to Jensen Street. A secondary driveway adjacent to the detached garage is located along the north property line adjacent to Verde Way. Per the

submitted plans the increase finished grade is located along the eastern portion of the site. The applicant is requesting to increase the finished grade to 136 inches where 18 inches is the maximum allowed per Title 30. Secondly, due to the increase in finished grade, the applicant is also requesting to increase the retaining wall height to 9 feet, where 3 feet is the maximum allowed per Code.

### Site Plans

The submitted plans show that there is an 18 foot slope transition starting from the west property line to the east property line. The rear yard will be terraced on the east side of the site. There are existing single family residences to the east, which contain finished grade elevations that are approximately 18 feet lower than the applicant's property. The proposed finished grade for the proposed residence requires 136 inches (11.3 feet) of fill to accommodate proper drainage on-site, to allow the finished floor pad of the proposed residence to be at the proper elevation adjacent to Jensen Street and so that the applicant can utilize the 10 foot wide drainage easement along the south and east property lines. The plans show that there is a proposed 8 foot high retaining wall along the south property line with a 5 foot high wrought iron fence on top. Along the east property line, there is an existing 6 foot high screen wall utilized by the residential parcels to the east, the applicant will be installing a redundant wall along the east property line (9 foot high retaining wall with a 5 foot high wrought iron fence on top), and a 2 inch cap will be placed to cover the gap between the existing wall and the proposed retaining wall/wrought iron fence combination screen wall.

### Applicant's Justification

Per the applicant, the finished grade of the proposed development exceeds 18 inches above the existing grade as the site slopes from west to east. The existing site contours show the site slopes 18 feet from west property line to the east property line (6.4% existing site slope). By using the Clark County standard design criteria, the proposed finished floor for the proposed residence needs to be at an elevation as currently designed. In addition, the proposed principal residence finished floor elevation has been placed at an elevation that is 18 inches above the adjacent centerline grade. The entire site slopes north towards the existing drainage easement located along the east property line. A 10 foot wide private drainage easement is located on-site along the south and east property lines. The storm drain will pick-up the off-site water from the west which is captured at the low point in Jensen Street. The minimum pad design criteria mentioned above along with the existing site slopes to the east requires the pad in most areas especially the east side of the parcel to be greater than 18 inches above the existing grade. The lot has been designed so that there is a maximum of approximately 136 inches (11.3 feet) of fill in the center of the property. Along the east property line there will be a retaining wall at a maximum height of 9 feet, thus requiring a waiver since the maximum height of a retaining wall is 3 feet. Lastly, a design review request is required for an increase in finished grade to 136 inches (11.3 feet) where 18 inches (1.5 feet) is the standard.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-0296-01	Reclassified various parcels within Lone Mountain from R-U and R-E zoning to R-E (RNP-I) zoning, and from R-A zoning to R-A (RNP-I and RNP-II) zoning	Approved by BCC	September 2001

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	City of Las Vegas	R-E	Single family residential
South & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Undeveloped
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	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**

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 plans show that there is a proposed 8 foot high retaining wall along the south property line with a 5 foot high wrought iron fence on top, and there is a 9 foot high retaining wall along the east property line also with a 5 foot high wrought iron fence on top. The proposed wrought-iron on top of the retaining wall creates a terraced design and breaks-up the visual mass of the wall. Staff finds that due to the significant amount of grade difference and the need to increase the finished grade to properly elevate the pad site for the proposed residence, staff can support the increase in retaining wall height.

**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**

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**

- 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**

- Comply with approved drainage study PW21-10872;
- Right-of-way dedication to include 30 feet for Verde Way, 30 feet for Jensen Street, and the associated spandrel.

### **Building Department - Fire Prevention**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS: 3 cards, 1 letter**

**COUNTY COMMISSION ACTION:** October 20, 2021 – HELD – To 11/03/21 – per the applicant.

**APPLICANT:** DAN GILBERT

**CONTACT:** PER4MANCE ENGINEERING, 4525 W. HACIENDA AVE., STE 1, LAS VEGAS, NV 89118