WS-0630-17 – AMERICAN WEST DEVELOPMENT, INC.:  

WAIVER OF DEVELOPMENT STANDARDS to increase wall height.  
DESIGN REVIEW for increased finished grade in conjunction with a previously approved single family residential development on 15.7 acres in an R-2 (Medium Density Residential) Zone with a portion in the MUD-3 Overlay District. 

Generally located on the southeast corner of Cougar Avenue and Rainbow Boulevard within Enterprise.  SB/md/ja (For possible action)

RELATED INFORMATION:  

APN:  
176-14-314-001 through 034; 176-14-410-001 through 024

WAIVER OF DEVELOPMENT STANDARDS:
1. a. Increase block wall height to 7 feet where 6 feet is allowed per Section 30.64.020 (a 16.7% increase).  
b. Increase combined screen wall and retaining wall height to 16.5 feet (9.5 foot retaining wall and 7 foot screen wall) where a maximum of 9 feet (3 foot retaining wall and 6 foot screen wall) is permitted per Figure 30.64-15 (a 83.3% increase).

DESIGN REVIEW:  
Increase finished grade up to 114 inches (9 feet, 4 inches) where 18 inches (1.5 feet) is the standard per Section 30.32.040 (a 533.3% increase).

LAND USE PLAN:  
ENTERPRISE – RESIDENTIAL SUBURBAN (UP TO 8 DU/AC) & OFFICE PROFESSIONAL

BACKGROUND:  
Project Description  
General Summary
- Site Address: N/A
- Site Acreage: 15.7
- Number of Lots/Units: 79
- Density (du/ac): 5.1
- Project Type: Wall height
Site Plan
The plan depicts a previously approved single family residential development consisting of 79 lots on 15.7 acres with an overall density of 5.1 dwelling units per gross acre. The applicant states the increase to the retaining wall height applies to 13 lots (lots 19 through 31), located along the northeastern portion of the project site, as depicted on the site plan. Access to the project site is granted from Rainbow Boulevard and Cougar Avenue. The residential subdivision is serviced by an internal network of 47 foot wide public streets with 5 foot wide sidewalks. No changes are proposed to the previously approved site plan or network of public streets.

Applicant’s Justification
The applicant states that the proposed retaining wall is designed to meet the requirements in accordance with the approved Drainage Study. The overall project is compatible with the surrounding area and meets the goals of Title 30 and the Enterprise Land Use Plan.

Prior Land Use Requests

<table>
<thead>
<tr>
<th>Application Number</th>
<th>Request</th>
<th>Action</th>
<th>Date</th>
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</thead>
<tbody>
<tr>
<td>NZC-0577-13</td>
<td>First extension of time to reclassify 7.4 acres from R-E to R-2 zoning with a design review for a single family residential development</td>
<td>Approved by BCC</td>
<td>April 2017</td>
</tr>
<tr>
<td>(ET-0029-17)</td>
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<tr>
<td>TM-0167-15</td>
<td>55 lot single family residential subdivision on 10 acres</td>
<td>Approved by BCC</td>
<td>October 2015</td>
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<tr>
<td>ZC-0598-15</td>
<td>Reclassified 2.5 acres from R-E to R-2 zoning with waivers of development standards for building height and architectural enclosures; design review for single family residential development &amp; increased finished grade</td>
<td>Approved by BCC</td>
<td>October 2015</td>
</tr>
<tr>
<td>TM-0208-14</td>
<td>24 lot single family residential subdivision</td>
<td>Approved by PC</td>
<td>January 2015</td>
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<tr>
<td>NZC-0578-13</td>
<td>Reclassified 5.6 acres from R-E to R-2 zoning with a design review for a single family residential development</td>
<td>Approved by BCC</td>
<td>May 2014</td>
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<tr>
<td>NZC-0577-13</td>
<td>Reclassified 7.4 acres from R-E to R-2 zoning with a design review for a single family residential development</td>
<td>Approved by BCC</td>
<td>March 2014</td>
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Surrounding Land Use

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<thead>
<tr>
<th></th>
<th>Planned Land Use Category</th>
<th>Zoning District</th>
<th>Existing Land Use</th>
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</thead>
<tbody>
<tr>
<td>North</td>
<td>Residential Suburban (up to 8 du/ac) &amp; Residential High (8 du/ac to 18 du/ac)</td>
<td>R-2 &amp; R-3</td>
<td>Single family residential development</td>
</tr>
<tr>
<td>South</td>
<td>Office Professional &amp; Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td>R-E</td>
<td>Undeveloped &amp; single family residential development</td>
</tr>
<tr>
<td>East</td>
<td>Residential Suburban (up to 8 du/ac) &amp; Rural Neighborhood Preservation (up to 2 du/ac)</td>
<td>R-E &amp; R-2</td>
<td>Undeveloped</td>
</tr>
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</thead>
<tbody>
<tr>
<td>West</td>
<td>Residential Suburban (up to 8 du/ac) &amp; Commercial General</td>
<td>C-2</td>
<td>Retail complex &amp; undeveloped</td>
</tr>
</tbody>
</table>

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 and value 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 #1a
Staff can support the waiver to increase the screen wall height to 7 feet. Staff finds that the wall will not adversely impact the surrounding properties since the walls will provide additional security and privacy for future residents. Similar requests have been approved for other residential developments in Clark County. The additional 12 inches above the maximum allowed screen wall height of 6 feet will not adversely impact the surrounding area.

Waiver of Development Standards #1b
Staff can also support the waiver to increase the combination of the retaining wall and screen wall height to 16.5 feet. Staff finds that the wall will not adversely impact the surrounding properties and that similar requests have been approved for other residential developments in Clark County. If the topography and Drainage Study for the site warrants an increase to the retaining wall height, then the request is appropriate to facilitate the development of the project. Staff also finds that the increased height of the wall will not negatively impact the adjacent land uses. Therefore, staff can support this request.

Public Works – Development Review
Design Review
This design review represents the maximum grade difference along 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 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 Title 30.32.040(a)(9) are needed to mitigate drainage through the site.
• 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.

Building/Fire Prevention
• No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: American West Development
CONTACT: Actus, Jessica Turoczy, 2441 Horizon Ridge Parkway, Henderson, NV 89052