



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

January 29, 2019

6:30 p.m.

AGENDA

NOTE:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to Board of County Commissioners Zoning Commission (BCC) or Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With forty-eight (48) hour advance request, a sign language interpreter, or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling 702-455-3530 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from insert name of contact at phone number and is/will be available at the County's website at www.clarkcountynv.gov.

Board Members:

Darby Johnson, Jr. – Chair
Angie Heath Younce
Rodney Bell

Yvette Williams – Vice Chair
Catherine Godges

Secretary:

Carmen Hayes 702-371-7991 chayes70@yahoo.com

County Liaison:

Mike Shannon 702-455-8338 mds@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
- II. Public Comment - This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.
- III. Approval of Minutes January 15, 2019 (For possible action)

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager

IV. Approval of Agenda for January 29, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Announcements of upcoming meetings and County and community meetings and events. (for discussion)

VI. Planning & Zoning

1. **VS-18-0884-ROOHANI, ELHAM & ROOHANI, KHUSROW FAMILY TRUST:**
HOLDOVER VACATE AND ABANDON excess 215 Beltway right-of-way located between Sunset Road and the 215 Beltway, west of Rainbow Boulevard within Spring Valley (description on file). SS/sd/ml (For possible action) 02/05/19 PC
2. **VS-19-0001-NA MINGXING:**
VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Redwood Street, and between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/jt/ja (For possible action) 02/20/19 BCC
3. **WS-18-0997-SPRING MOUNTAIN, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced street landscape width; 2) parking lot landscaping; 3) waive minimum 5 foot wide sidewalk between buildings and pavement; and, 4) reduced parking.
DESIGN REVIEW for the following: 1) proposed retail buildings; and 2) façade changes, drive thru lane, and an addition to an existing building on 1.9 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Lindell Road and the north side of Spring Mountain Road within Spring Valley. JJ/sd/ja (For possible action) 02/05/19 PC
4. **WC-18-400260 (ZC-0699-99)-PF PROPERTIES SG, LLC & MF/CI PROPERTIES SG, LLC:**
WAIVER OF CONDITIONS of a zone change requiring height of signage shall not exceed the tallest point of the roofline on the buildings for the entire site in conjunction with an existing tavern on 1.4 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the north side of Flamingo Road and the east side of the 215 Beltway within Spring Valley. JJ/sd/ja (For possible action) 02/06/19 BCC
5. **WS-18-0981-PF PROPERTIES SG, LLC & MF/CI PROPERTIES SG, LLC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase the maximum sign area for a freestanding sign; 2) increase sign area for an animated sign; and 3) reduce the setback of a freestanding sign.
DESIGN REVIEW for an animated freestanding sign in conjunction with an existing tavern on 1.4 acres in a C-2 (General Commercial) Zone. Generally located on the north side of Flamingo Road and the east side of the 215 Beltway within Spring Valley. JJ/sd/ja (For possible action) 02/06/19 BCC

6. **UC-18-0955-SPIRITUAL ASSEMBLY OF THE BAHA'IS OF SPRING VALLEY:**
USE PERMIT for a proposed place of worship.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified street standards; and 2) allow modified driveway design standards.
DESIGN REVIEW for a proposed place of worship on 1.9 acres in an R-E (Rural Estates Residential)(AE-60) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Patrick Lane and Jones Boulevard within Spring Valley. SS/md/ml (For possible action) 01/22/19 PC
7. **UC-19-0013-LAS VEGAS CAR CARE ASSOCIATES:**
USE PERMIT for a vehicle paint/body shop.
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a vehicle paint/body shop not accessory to automobile sales; 2) allow service bay doors not screened by landscaping or another building to face towards a public street; and 3) reduce the separation for a vehicle paint/body shop from a residential use in conjunction with an existing automobile maintenance and repair facility on 2.4 acres in a C-2 (General Commercial) Zone in the MUD-4 Overlay District. Generally located on the northwest corner of Decatur Boulevard and Eldora Avenue within Spring Valley. JJ/jt/ma (For possible action) 02/19/19 PC
8. **WS-18-1027-TAM, THOMAS:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the rear setback for an existing addition; and 2) allow the front yard to exceed the minimum hardscape in conjunction with an existing single family residence on 0.2 acres in the R-1 (Single Family Residential) Zone. Generally located on the north side of Golden Spring Avenue, 56 feet east of Anacapa Way within Spring Valley. JJ/jt/ma (For possible action) 02/19/19 PC
9. **AR-18-400268 (UC-1908-05)-SPRING MOUNTAIN PLAZA, LLC:**
USE PERMIT SEVENTH APPLICATION FOR REVIEW for a massage establishment in conjunction with an existing retail center on 1.9 acres in a C-2 (General Commercial) Zone. Generally located on the northwest corner of Red Rock Street and Spring Mountain Road within Spring Valley. JJ/sv/ma (For possible action) 02/20/19 BCC
10. **WS-19-0015-NA MINGXING:**
WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (curb, gutter, sidewalks, street lights, and partial paving).
DESIGN REVIEW to increase the finished grade in conjunction with a proposed single family subdivision on 2.1 acres in an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District. Generally located on the southeast corner of Santa Margarita Street and Oquendo Road within Spring Valley. MN/jt/ja (For possible action) 02/20/19 BCC

11. **AR-18-400252 (UC-1056-17)-K H GOLDEN INVESTMENTS, LLC:**
USE PERMIT FIRST APPLICATION FOR REVIEW to allow on-premises consumption of alcohol (service bar).
WAIVER OF DEVELOPMENT STANDARDS for reduced parking in conjunction with a proposed restaurant in an existing office and retail development on a portion of 1.2 acres in a C-1 (Local Business) Zone. Generally located on the south side of Spring Mountain Road, 650 feet west of Lindell Road within Spring Valley. JJ/sd/ml
(For possible action) 01/22/19 PC

VII. General Business

1. Clark County Parks & Recreation Department, Office of Public Art to discuss the Public Art Installation at James Regional Sports Complex, including the process of selecting the final design and invite the neighborhood to attend the final presentation on Saturday, February 9, 2019 from 2:30 pm to 5:00 pm at the Windmill Library (for discussion only).

VIII. Comments by the General Public - A period devoted to comments by the general public about matters relevant to the Board's/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please spell your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.

IX. Next Meeting Date: February 12, 2019

X. Adjournment

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:

Desert Breeze Community Center, 8275 W. Spring Mountain Rd.

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

<https://notice.nv.gov/>

BOARD OF COUNTY COMMISSIONERS
MARILYN KIRKPATRICK, CHAIR - LAWRENCE WEEKLY, Vice-Chair
LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager

UPDATE

**RIGHT-OF-WAY
(TITLE 30)**

RAINBOW BLVD/215 BELTWAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-18-0884-ROOHANI, ELHAM & ROOHANI, KHUSROW FAMILY TRUST:

HOLDOVER VACATE AND ABANDON excess 215 Beltway right-of-way located between Sunset Road and the 215 Beltway, west of Rainbow Boulevard within Spring Valley (description on file). SS/sd/ml (For possible action)

RELATED INFORMATION:

APN:

176-03-501-013

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

This application is a request to vacate and abandon a 15 foot wide, 445 foot long portion of the 215 Beltway right-of-way along Rainbow Boulevard and an existing 215 Beltway right-of-way that is approximately 13,761 square feet. The existing right-of-way was related to the Rainbow 215 project. According to the applicant, this is excess land that was acquired by the County at the time of the design of the 215 Beltway. The right-of-way land shown to be vacated is no longer needed for future development.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------------|--------------------------------------|------------------------|--|
| North, West, & South | Business and Design/Research Park | C-2 | Undeveloped/neighborhood shopping center/public right-of- way, & 215 Beltway |
| East | Business and Design/Research Park | C-2 | Undeveloped |

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

Public Works needs this right-of-way to access the slopes adjacent to Rainbow Boulevard and Rafael Rivera Way (215 Beltway) for maintenance. Staff cannot support this vacation.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Spring Valley - denial.

APPROVALS: 1 card

PROTESTS: 3 cards

PLANNING COMMISSION ACTION: January 8, 2019 – HELD – To 02/05/19 – per the applicant.

APPLICANT: ELHAM ROOHANI

CONTACT: ELHAM ROOHANI, 28 GARDEN SHADOW LN, LAS VEGAS, NV 89135

02/20/19 BCC AGENDA SHEET

EASEMENTS
(TITLE 30)

SANTA MARGARITA ST/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VS-19-0001-NA MINGXING:

VACATE AND ABANDON easements of interest to Clark County located between Santa Margarita Street and Redwood Street, and between Oquendo Road and Patrick Lane within Spring Valley (description on file). MN/jt/ja (For possible action)

RELATED INFORMATION:

APN:
163-35-202-001

LAND USE PLAN:
SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

The plans depict the vacation and abandonment of government patent easements in conjunction with a proposed 4 lot single family subdivision. Patent easements to be vacated include 33 foot wide easements on the east and south sides of the site. Three foot wide patent easements on the north and west sides of the site will remain. According to the applicant, the vacation of the patent easements will increase the net lot area for the single family residences.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|---------------|-----------|
| ZC-0270-03 | Reclassified the site to C-P zoning for a professional office | Denied by BCC | June 2003 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------|--|-----------------|-------------------------|
| North & South | Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac) | R-E | Undeveloped |
| East | Rural Neighborhood Preservation (up to 2 du/ac) | R-E | Single family residence |
| West | Office Professional | C-P | Office complex |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------|--|------------------------|--------------------------|
| North & South | Open Land (open space/grazing/vacant land; residential up to 1 du/10 ac) | R-E | Undeveloped |

Related Applications

| Application Number | Request |
|---------------------------|--|
| WS-19-0015 | A waiver of development standards for off-site improvements and increased finished grade 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

Public Works - Development Review

Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

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

- Satisfy utility companies' requirements.
- 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 the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

Public Works - Development Review

- Right-of-way dedication to include the spandrel at the northwest corner of the site;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ENGINEERING & CONSULTING ALLIANCE
CONTACT: ENGINEERING & CONSULTING ALLIANCE, 1740 DELL RANGE BLVD,
SUITE 454-H, CHEYENNE, WY 82009

DRAFT

02/05/19 PC AGENDA SHEET

RETAIL COMMERCIAL BUILDING
(TITLE 30)

LINDELL RD/SPRING MOUNTAIN RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-0997-SPRING MOUNTAIN, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced street landscape width; 2) parking lot landscaping; 3) waive minimum 5 foot wide sidewalk between buildings and pavement; and, 4) reduced parking.

DESIGN REVIEW for the following: 1) proposed retail buildings; and 2) facade changes, drive thru lane, and an addition to an existing building on 1.9 acres in a C-2 (General Commercial) Zone.

Generally located on the east side of Lindell Road and the north side of Spring Mountain Road within Spring Valley. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:
163-13-503-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce street landscape width along Spring Mountain Road and Lindell Road to 10 feet where a minimum of 15 feet is required per Figure 30.64-17 (a 33% reduction).
2. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required.
3. Waive the minimum 5 foot wide sidewalk between buildings and pavement where required per Section 30.60.050 (15).
4. Reduce parking spaces to 84 spaces where a minimum of 101 spaces are required per Table 30.60-1 (a 16.8% reduction).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5480 Spring Mountain Road
- Site Acreage: 1.9 acres
- Project Type: 2 proposed retail buildings, facade changes, drive-thru, and an addition to an existing commercial building
- Number of Stories: 1

- 3
- Building Height (feet): 24 feet (existing building)/49 feet (proposed retail buildings)
 - Square Feet: 3,990 (existing building)/160 square foot (building addition)/7,500 (new Buildings 1 & 2)
 - Parking Required/Provided: 101/84

Site Plan

The site plan submitted shows an existing 3,990 square foot commercial building (Irene's Cocktail Lounge) located in the southwest corner of the property and, 2 proposed 7,500 square foot commercial retail buildings located along the northern property line and the eastern property line on an existing lot. In addition, the applicant is proposing to build a 10 foot by 16 foot security office onto the existing building along the north elevation. Existing sidewalks along the north and south sections of the existing building (Irene's Lounge) will remain, while new sidewalks will be added along the south section of Building 2 and west section of Building 1. No 5 foot wide sidewalk will be added to northern section of Building 1, nor the western and eastern sections of Building 2, and the east section of the existing building.

Proposed drive thru lane with call box and pickup window will be installed along Lindell Road, adjacent to the landscaped area, on the west side of the existing building with queuing north to south. Existing access to the property is provided by 2 driveways along Lindell Road and with 2 driveways along Spring Mountain Road. A total of 84 parking spaces are provided where a minimum of 101 spaces are required.

Landscaping

Street landscaping along Spring Mountain Road consists of an existing 10 foot wide landscape area. A 5.5 foot to 17 foot wide landscape area is proposed along the rear property line per 30.64-11. Street landscaping along Lindell Road consists of 10 foot to 15 foot wide landscape area.

Elevations

The plans depict an existing, 24 foot high, 1 story commercial retail building with 2 proposed commercial retail buildings measured at a height of 40 feet. A new 160 square foot security office is proposed to be added onto the existing retail building along the north elevation at a height of 10 feet. The buildings shown will have a stucco façade of crème and brown colors with fabric and wire mesh awnings. The roof line for the existing and proposed buildings will be a curved façade with glass panel parapets.

Floor Plans

The plans show an existing 3,990 square foot building with a 160 square foot building addition (security office) and 2 proposed 7,500 square foot retail shell buildings.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that they are requesting the above mentioned waivers due to the following reasons: 1) reduction of proposed street landscaping along both Spring Mountain Road and

Lindell Road is a result of the site plan layout in order to maximize total square footage; 2) reduction to the required parking lot landscaping to maximize the number of parking spaces; and 3) the 5 foot wide sidewalks are not necessary because those sections of both the proposed and existing buildings are designed to have no doors for ingress and egress.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|--------------|
| VS-0627-16 | Vacated and abandoned 33 foot wide patent easement | Approved by PC | October 2016 |
| ZC-0020-76 | Changed from R-E to C-2 zoning for the existing cocktail lounge and liquor store | Approved by BCC | April 1976 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|----------------------------------|-----------------|--------------------------|
| North | Residential High (8 to 18 du/ac) | R-3 | Multi-family residential |
| South | Commercial Neighborhood | C-1 | Undeveloped |
| East | Commercial General | C-2 | Retail center |
| West | Commercial Neighborhood | C-1 | Retail store |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers 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.

Waiver of Development Standards#1

Review of the plans show reduced landscaping along Spring Mountain Road and Lindell Road. The request for reduced landscaping along Lindell Road is a result of the applicant adding a new drive-thru lane along the west side of the existing building, which in turn encroaches into the required 15 foot wide landscape buffer. The proposed reduction of the required street landscaping along Spring Mountain Road is a result of the placement of the proposed building being closer to the existing sidewalk in order to maximize the size and square footage of the building. Staff finds that the layout, size and placement of the proposed drive-thru and the proposed construction of Building 2 as shown can be redesigned to better accommodate the required street landscaping. Staff finds this condition is a self-imposed hardship.

Waiver of Development Standards #2

The plans submitted by the applicant do not show the requisite landscape fingers for every 6 spaces or the required number of trees. The justification for this by the applicant is to maximize the number of parking spaces. The applicant has designed the site layout with oversized building square footage that are inadequate to the size of the parcel and eliminates the required internal parking lot landscaping. Staff finds this is a self-imposed hardship.

Waiver of Development Standards #3

The intent of the Code per Section 30.60.050 is to provide for a 5 foot wide sidewalk around retail commercial buildings to allow for safe pedestrian access to buildings from their vehicles. The applicant has not provided a 5 foot sidewalk along northern edge of Building 1 nor the western and eastern edges of Building 2. With parking spaces in close proximity, this will force pedestrians to walk out into the parking lot and maneuvering areas, which creates a hazard to those pedestrians. As a new construction project for both Buildings 1 and 2, the layout, size and placement of these proposed buildings can be redesigned to accommodate the required sidewalk and buffering for pedestrian safety. Staff finds this is a self-imposed hardship.

Waiver of Development Standards #4

The reduction of the on-site parking is equal to 17% of the total required by Code. The site is proposed as a retail and restaurant use, which are known to have a higher parking demand. The applicant has designed the layout with oversized buildings, which can be redesigned or with smaller sized buildings in order to adhere to the required parking requirements of the Code. Staff finds this request is a self-imposed hardship.

Design Review:

Review of the plans show a new drive thru lane that will interfere with onsite circulation and driveway entrance from Kindell Road. Staff cannot support the proposed design review as submitted by the applicant due to the site layout creating several waivers that are not supported by staff and is considered to be a self-imposed hardship.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license or approval. 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 and compliance;
- Traffic study and compliance;
- If required by Public Works, right-of-way dedication to include a larger spandrel at the property line on the southwest corner of the site;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that off-site permits are required for work within the right-of-way; and that compliance with Public Works' standards contained within Title 30 and the Uniform Standard Drawings is required, which will result in changes to the site design adjacent to the right-of-way.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: ERNIE PODACA
CONTACT: ERNIE PODACA, SSA ARCHITECTURE, 7040 LAREDO STREET, SUITE C,
LAS VEGAS, NV 89117

02/06/19 BCC AGENDA SHEET

FREESTANDING SIGN
(TITLE 30)

FLAMINGO RD/215 BELTWAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-18-400260 (ZC-0699-99)-PF PROPERTIES SG, LLC & MF/CI PROPERTIES SG, LLC:

WAIVER OF CONDITIONS of a zone change requiring height of signage shall not exceed the tallest point of the roofline on the buildings for the entire site in conjunction with an existing tavern on 1.4 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District.

Generally located on the north side of Flamingo Road and the east side of the 215 Beltway within Spring Valley. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:

163-18-817-003

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9580 W. Flamingo Road
- Site Acreage: 1.4
- Project Type: Animated freestanding sign
- Sign Height (feet): 50
- Square Feet: 446

Site Plan

The site plan shows an existing tavern on the southwest portion of the site. The current height of the building is 28 feet and the applicant is requesting to waive a condition of a zone change that limited all signage to the tallest point of the buildings on site in order to allow for a proposed freestanding animated sign at a height of 50 feet. Access to the site is provided along Flamingo Road.

Landscaping

No changes are proposed or required to the existing landscaping.

Signage

The plans submitted show a proposed double sided freestanding sign at a height of 50 feet with a double sided animated LED display at a 45 degree angle. The proposed animated sign will display static images and not videos. The animated portion of the sign is 27 feet 2 inches tall by 15 feet wide. The total square footage of the proposed sign will be 446 square feet with 408 square feet of the sign being animated. The applicant states that the 3 non-permitted existing freestanding signs within the right-of-way of Flamingo Road will be removed prior to installation of the proposed freestanding sign.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-0699-99:

- A 15 foot wide, A-1 landscape buffer adjacent to Saddle (large trees shall be Mondale Pines);
- A six foot decorative cream color split-faced block wall along Saddle (A-1 buffer shall be between the street pavement and the wall);
- All mechanical equipment shall be ground mounted or screened from view by an architectural feature or roof line; no vehicular access to Saddle Avenue;
- Right-of-way dedication of the north 30 feet for Saddle if access from the development is provided to Saddle, (or reduce right-of-way per Public Works approval if no access is provided to Saddle);
- Applicant to file for a waiver of the sidewalk along the south right-of-way line of Saddle;
- Design review as a public hearing for any significant changes to the plans (excluding increase in height up to 35 feet);
- Design review as a public hearing for any building over 35 feet;
- All lighting to be directed toward the interior of the project and light standards shall not exceed the height of the building;
- Height of signing shall not exceed the tallest point of the roofline on the buildings for the entire site;
- The base color of the building shall be earth-tone;
- The shall be finished on all four sides;
- No taverns allowed in the northern 330 feet of the property any establishments with on-site consumption of alcohol within the northern 330 feet shall be closed from 2 a.m. until 6 a.m.; provide landscaping islands within the parking lot;
- Provide enhanced paving at vehicular entrances and pedestrian walkways;
- Provide amenities such as benches, decorative lighting, ornamental waste receptacles, and fountains;
- B-1 landscaping (trees/shrub combination) along Flamingo Road;
- Provide 10 foot high wingwall for loading areas;
- Drainage and traffic studies and compliance;
- Full off-sites;
- Off-sites to be coordinated with Clark County Public Works Design Division, and all applicable standard conditions for this application type.
- Applicant to be advised access to Flamingo will be right turn in and right turn out only. Applicant is also advised that approval of this item does not constitute or imply approval

of any other county permits, licenses or approvals.

Applicant's Justification

According to the applicant, the surrounding buildings in this area were built higher than the subject building on the site. This includes a height of 35 feet for the Doral Academy to the west, 31 feet for Einstein Bagels to the east, and 50 feet for an adjacent office building to the northeast. The higher freestanding sign to 50 feet will provide for sightline visibility for both east and west bound traffic on Flamingo Road.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|---------------------------|---------------|
| ADR-0239-17 | Administrative design review for a shade structure | Approved administratively | April 2017 |
| WS-0007-12 | Allowed non-standard improvements within rights-of-way for a transparent wire to be installed across travel lanes | Approved by PC | March 2012 |
| TM-0398-02 | 1 commercial lot | Approved by PC | November 2002 |
| DR-1528-01 | Restaurant/tavern | Approved by BCC | January 2002 |
| VS-0881-01 | Vacated and abandoned government patent easements | Approved by PC | August 2001 |
| ZC-0699-99 | Reclassified the site and parcels to the north from R-E to C-2 zoning | Approved by BCC | July 1999 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|---------------------------|-----------------|------------------------|
| North | Commercial General | C-2 | Undeveloped |
| South & East | Commercial General | C-2 | Retail shopping center |
| West | Commercial General | C-1 | School |

Related Applications

| Application Number | Request |
|--------------------|--|
| WS-18-0981 | A waiver of development standards to increase freestanding sign area, increase animated sign area, and reduce sign setback with a design review to allow an animated freestanding sign 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

Since the approval of the original application for a zone change (ZC-0699-99), a retail shopping center, the Doral Academy, and a nearby office complex have been constructed. These structures extend above the tavern building height of 28 feet. The building height of Doral Academy to the west is 35 feet, the retail shopping center to the east is 31 feet and an office complex to the northeast is 50 feet. When the original application for the zone change was approved the immediate area was primarily undeveloped parcels. The applicant's property, along with the nearby office complex and the adjacent Doral Academy building, were built in 2003. The adjacent retail shopping center was built in 2008. Considering that those buildings constructed after the original application, exceed the height of the applicant's building, staff finds this request to waive the condition limiting the height of signage to not exceed the tallest point on the buildings for the entire site, will not create substantial impacts to the surrounding area. Therefore, staff recommends approval.

Staff Recommendation

Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the condition will no longer fulfill its intended purpose.

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:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

**TAB/CAC:
APPROVALS:
PROTEST:**

APPLICANT: GOLDEN ENTERTAINMENT, INC.

**CONTACT: MIKE LEBLUE, YESCO, 5119 S. CAMERON STREET, LAS VEGAS, NV
89118**

02/06/19 BCC AGENDA SHEET

FREESTANDING SIGN
(TITLE 30)

FLAMINGO RD/215 BELTWAY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0981-PF PROPERTIES SG, LLC & MF/CI PROPERTIES SG, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase the maximum sign area for a freestanding sign; 2) increase sign area for an animated sign; and 3) reduce the setback of a freestanding sign.

DESIGN REVIEW for an animated freestanding sign in conjunction with an existing tavern on 1.4 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Flamingo Road and the east side of the 215 Beltway within Spring Valley. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:

163-18-817-003

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the sign area for a freestanding sign to 446 square feet where a maximum of 279 square feet for an existing tavern is allowed per Table 30.72-1 (a 60% increase).
2. Increase the sign area for an animated sign to 408 square feet where a maximum of 100 square feet for an existing tavern is allowed per Table 30.72-1 (a 308% increase).
3. Reduce the setback for a freestanding sign to 1 foot where a minimum setback of 10 feet is required per Table 30-72-1 (a 90% reduction).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9580 W. Flamingo Road
- Site Acreage: 1.4
- Project Type: Animated freestanding sign
- Sign Height (feet): 50
- Square Feet: 446

Site Plan

The site plan shows an existing tavern on the southwest portion of the site. Access to the site is provided along Flamingo Road.

Landscaping

No landscaping is proposed or required to the existing landscape.

Signage

The plans submitted show a proposed double sided freestanding sign at a height of 50 feet with a double sided animated LED display at a 45 degree angle. The proposed animated sign will display static images and not videos. The animated portion of the sign is 27 feet 2 inches tall by 15 feet wide. The total square footage of the proposed sign will be 446 square feet with 408 square feet of the sign being animated. The proposed sign will be located along Flamingo Road and set back 1 foot from the property line and adjacent to handicapped parking spaces as shown on the site plan. The applicant states that the 3 non-permitted existing freestanding signs within the right-of-way of Flamingo Road will be removed prior to installation of the proposed freestanding sign.

The applicant is requesting waivers of development standards to increase the animated sign area to 408 square feet where a maximum of 100 square feet is allowed, increase the maximum freestanding sign area to 446 square feet where 267 square feet is allowed, and to reduce the required setback from 10 feet to 1 foot along Flamingo Road.

Applicant's Justification

The applicant states that the increased sign area and reduced setback is necessary to provide for sightline visibility for both east and west bound traffic on Flamingo Road since the sign is over 30 feet from the actual built roadway of the Flamingo Road right-of-way.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|---|---------------------------|---------------|
| ADR-0239-17 | Shade structure | Approved administratively | April 2017 |
| WS-0007-12 | Allow non-standard improvements within rights-of-way for a transparent wire to be installed across travel lanes | Approved by PC | March 2012 |
| TM-0398-02 | Commercial lot | Approved by PC | November 2002 |
| DR-1528-01 | Restaurant/tavern | Approved by BCC | January 2002 |
| VS-0881-01 | Vacated and abandoned government patent easements | Approved by PC | August 2001 |
| ZC-0699-99 | Reclassified the site and parcels to the north from R-E to C-2 zoning | Approved by BCC | July 1999 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------|----------------------------------|------------------------|--------------------------|
| North | Commercial General | C-2 | Undeveloped |
| South & East | Commercial General | C-2 | Retail shopping center |
| West | Commercial General | C-1 | School |

Related Applications

| Application Number | Request |
|------------------------------|--|
| WC-18-400260 (ZC-0699-99) | Waivers of conditions of a zone change (ZC-0699-99) requiring that the height of signage shall not exceed the tallest point of the roof lines on the buildings for the entire site 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

Waivers 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.

Waiver of Development Standards #1 & #2

Staff finds that the requested increase in the total freestanding and animated sign area is excessive. Although there are some in the area, those signs are associated with shopping centers and are in scale with the property. The subject property is near a school to the west and a residential subdivision to the north where such a large sign is incompatible. The request does not comply with Urban Specific Policy 20 of the Comprehensive Master Plan which states that all signage should be compatible with surrounding development. These waivers are the result of the applicant's desire for a larger sign, which is a self-imposed hardship, that staff does not support.

Waiver of Development Standards #3

The required setback is 10 feet where the applicant is requesting a 1 foot setback. The property is adjacent to a public right-of-way (Flamingo Road) where the proposed sign is set back 31 feet from the built roadway. Therefore, since the sign is set back over 30 feet from the travel lanes of Flamingo Road, staff can support this request.

Design Review

Staff finds that the applicants request for a freestanding animated sign for increased area as proposed is excessive as mentioned above in the waiver of development standards review. Since staff cannot support waivers of development standards #1 and #2, staff cannot support the proposed design review request.

Staff Recommendation

Approval of waiver of development standards #3; and denial of waivers of development standards #1 and #2, and the design review.

Approval of this request is contingent upon approval of WC-18-400260 (ZC-0699-99).

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

If approved:

- Removal of illegal signs on the property within 6 months.
- 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

- Applicant/owner shall have the option purchase the excess right-of-way on Flamingo Road with the agenda item to approve the purchase scheduled for a Board of County Commissioners' meeting within 90 days of approval of this land use application;
- If the applicant/owner declines the option to purchase the excess right-of-way within the timeframe specified in the condition above, the applicant/owner shall remove any signs, electrical work, and any other unauthorized items from the right-of-way;
- If the applicant/owner declines the option to purchase the excess right-of-way within the timeframe specified in the condition above, the applicant/owner shall execute a License and Maintenance Agreement for the decorative rock and other non-standard improvements in the right-of-way.
- Applicant/owner is advised that signs shall not encroach into public right-of-way, easements, or sight-visibility zones; and that approvals and permits from other departments and agencies may be necessary for any unpermitted items on private property.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: GOLDEN ENTERTAINMENT INC.
CONTACT: MIKE LEBLUE, YESCO, 5119 S. CAMERON STREET, LAS VEGAS, NV
89118

DRAFT

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01/22/19 PC AGENDA SHEET

PLACE OF WORSHIP
(TITLE 30)

PATRICK LN/JONES BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0955-SPIRITUAL ASSEMBLY OF THE BAHA'IS OF SPRING VALLEY:

USE PERMIT for a proposed place of worship.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow modified street standards; and 2) allow modified driveway design standards.

DESIGN REVIEW for a proposed place of worship on 1.9 acres in an R-E (Rural Estates Residential)(AE-60) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Patrick Lane and Jones Boulevard within Spring Valley. SS/md/ml (For possible action)

RELATED INFORMATION:

APN:

163-36-301-001

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the driveway departure distance (driveway off-set) from Jones Boulevard for a driveway along Patrick Lane to 44 feet where 190 feet is required per Uniform Standard Drawing 222.1 (a 24.2% reduction).
2.
 - a. Reduce throat depth for a commercial driveway along Patrick Lane to 19 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 74.7% reduction).
 - b. Reduce throat depth for a commercial driveway along Jones Boulevard to 25 feet where 75 feet is the standard per Uniform Standard Drawing 222.1 (a 66.7% reduction).

LAND USE PLAN:

SPRING VALLEY - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.9
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 35

- Square Feet: 10,769
- Parking Required/Provided: 108/108

Site Plans

The plans depict a proposed 1 story place of worship consisting of 10,769 square feet. The place of worship is set back 80 feet from the west and south property lines, 73 feet from the east property line, and 92 feet from the north property line. The proposed place of worship is centrally located within the project site. A proposed 5 foot wide detached sidewalk is located along Jones Boulevard and Patrick Lane and a 5 foot wide pedestrian walkway connects the place of worship to the detached sidewalks. A 5 foot wide pedestrian walkway is also located around the perimeter of the place of worship. The required trash enclosure is located at the southeast corner of the property. The required bicycle parking spaces are located along the west side of the place of worship, in close proximity to the building's entrance. The project requires 108 parking spaces where 108 spaces are provided. Access to the project site is granted via proposed commercial driveways located along Jones Boulevard and Patrick Lane.

Landscaping

The plans depict a proposed 15 foot wide landscape area, including a 5 foot wide detached sidewalk, along Jones Boulevard and Patrick Lane. Twenty-four inch box to 36 inch box trees are proposed within the landscape area along the street frontage. A 10 foot wide intense landscape buffer, with 24 inch box large evergreen trees, is proposed along the east property line. A 15 foot wide intense landscape buffer, with 24 inch box large evergreen trees, is proposed along the south property line. A 6 foot high decorative block wall is also proposed along the east and south property lines. Interior parking lot landscaping is equitably distributed throughout the project site.

Elevations

The overall height of the place of worship ranges between 18.5 feet to 35 feet, the highest point being the ornamental spire and dome. Parapet walls of varying heights are depicted on all building elevations. A singular dome is featured on the north and west elevations of the building, and is located directly above the entrance to the place of worship. The place of worship features an EIFS exterior and includes windows on all elevations.

Floor Plans

The plans depict a 10,769 square foot place of worship featuring an auditorium, vestibule, lobby, multiple offices, lecture hall, kitchen, storage and utility rooms, and restroom facilities.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that the proposed place of worship will not have an adverse or negative impact on the surrounding parcels. The proposed commercial driveways are located as far away from the intersection of Jones Boulevard and Patrick Lane to have a minimal impact on traffic on the adjacent roadways. The minimum throat depth is slightly exceeded by the amount of parking for this project and should be adequate to serve the place of worship.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--|------------------------|--------------------------|
| North | Public Facilities | R-E | Place of worship |
| South | Office Professional | R-E | Undeveloped |
| East | Rural Neighborhood Preservation (up to 2 du/ac) | R-E(RNP-I) | Undeveloped |
| West | Public Facilities | R-E | Undeveloped |

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

With appropriate building siting, proper building massing and scale, required parking, and appropriate buffering; a place of worship can be consistent and compatible with residential neighborhoods in accordance with Title 30 and the Comprehensive Master Plan. Other places of worship have been approved and developed in close proximity to residential areas with little or no adverse impact to the community. Staff does not have an issue with the proposed use; therefore, can support the request.

Waivers 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.

Design Review

Staff finds the architecture and height of the proposed place of worship are designed to minimize impacts to the surrounding residential area. The existing single family residential development, farther to the east of the project site, consists of single story homes. The overall design and height of the proposed place of worship are compatible with the residential neighborhood within the immediate area. Urban Specific 19 states scale relationships between buildings and adjacent developments should carefully be considered. Varying building heights, breaking-up the mass of a building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. The varying heights of the parapet walls assist in breaking-up the mass of the building. The perimeter landscaping surrounding the building meets and/or exceeds

Code requirements; therefore, staff can support the overall design of the place of worship as it meets the goals and policies of the Comprehensive Master Plan and the requirements of the CMA Design Overlay District.

Public Works - Development Review

Waiver of Development Standards #1

Staff supports this waiver for a reduced departure distance from the intersection to the waiver along Patrick Lane. The site is not large enough to accommodate the required departure distance of 190 feet.

Waiver of Development Standards #2a & #2b

The site design allows for smooth transition from the roadway into the site. Additionally, the higher traffic flows for places of worship happen during the weekends when the regular traffic flows are reduced. Staff has no objection to these waivers.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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 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 and compliance;
- Full off-site improvements;
- Right-of-way dedication to include the corner spandrel.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way to back of curb and granting necessary easements for utilities,

pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; that fire protection may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

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 #0684-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: RUSTAM ROOHANI

CONTACT: PHILIP WAKEFIELD, BLUE DIAMOND CIVIL ENGINEERING, 9816 GILESPIE ST, BUILDING E. STE 120, LAS VEGAS, NV 89183

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02/19/19 PC AGENDA SHEET

VEHICLE PAINT/BODY SHOP
(TITLE 30)

DECATUR BLVD/ELDORA AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0013-LAS VEGAS CAR CARE ASSOCIATES:

USE PERMIT for a vehicle paint/body shop.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a vehicle paint/body shop not accessory to automobile sales; 2) allow service bay doors not screened by landscaping or another building to face towards a public street; and 3) reduce the separation for a vehicle paint/body shop from a residential use in conjunction with an existing automobile maintenance and repair facility on 2.4 acres in a C-2 (General Commercial) Zone in the MUD-4 Overlay District.

Generally located on the northwest corner of Decatur Boulevard and Eldora Avenue within Spring Valley. JJ/jt/ma (For possible action)

RELATED INFORMATION:

APN:

163-12-502-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a vehicle paint/body shop not accessory to automobile sales where vehicle paint/body shops in the C-2 zone are required to be accessory to automobile sales per Table 30.44-1.
2. Allow service bay doors not screened by landscaping or another building to face towards a public street (Eldora Avenue) where screening is required per Table 30.44-1.
3. Reduce the separation for a vehicle paint/body shop from a residential use to 20 feet where 200 feet is the minimum per Table 30.44-1 (a 90% reduction).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2695 S. Decatur Boulevard
- Site Acreage: 2.4
- Project Type: Vehicle paint/body shop
- Number of Stories: 1
- Square Feet: 4,500 (subject suite)

- Parking Required/Provided: 119/136 (entire shopping center)

Site Plan

The site plan depicts an existing "L" shaped automobile maintenance and repair facility with a portion of the building adjacent to the south property along Eldora Avenue and a portion of the building adjacent to the west property line next to a multiple family residential complex. The proposed vehicle paint and body shop will expand into an adjacent tenant suite in the southwest corner of the building in conjunction with an existing automobile repair business. Other existing automobile related businesses in different suites in the complex include automobile maintenance, vehicle sales, and automobile repair.

Existing bay doors are located on the front and rear of the building. A waiver of development standards is necessary for the existing bay doors that face south towards Eldora Avenue that are in conjunction with the proposed use (vehicle paint/body shop). Another waiver of development standards is necessary for the proposed use, which is located in a suite that is set back 20 feet from the existing multiple family residential development to the west.

Access to the site is provided by a driveway from Decatur Boulevard and 2 driveways from Eldora Avenue. Parking is located around the perimeter of the site and within a parking lot in the center of the site. No changes are proposed to the site or exterior of the building.

Landscaping

Existing landscape is located in strips along the north, east, and south property lines. No changes to the landscaping are required or proposed with this application.

Elevations

The existing automobile maintenance and repair facility is designed with a painted stucco exterior, flat parapet walls at a various heights to screen the roof, a bell tower roof element to accentuate the center (corner) portion of the building, and pitched tile roof elements at the ends of the building. Overhead roll-up doors are located on both sides of the building for all suites so cars can pull through the building.

Floor Plans

The floor plan of the proposed vehicle paint/body shop is 4,500 square feet and will include a reception area, breakroom, and an enclosed spray booth in the vehicle repair area.

Signage

Signage is not a part of this request.

Applicant's Justification

The proposed vehicle paint/body shop will be in conjunction with an existing automobile repair business that has operated at this location for the past 5 years. According to the applicant, the entire automobile maintenance and repair facility only provides automobile related services, and the proposed vehicle paint/body shop is compatible with these uses. By expanding the services to offer collision repair in an adjacent suite, the applicant will be able to increase the range of

services to clients. Adequate parking exists for the proposed use, and the proposed spray booth will comply with all regulations.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|-----------------------|---|-----------------|---------------|
| UC-0594-05 | Communications facility with a monopole tower | Approved by PC | May 2005 |
| UC-395-92 & VC-890-92 | Off-premises advertising sign (billboard) | Denied by BCC | February 1993 |
| UC-140-90 | Car wash & detail shop – expired | Approved by PC | June 1990 |
| VC-272-87 | Permit auto repair | Approved by PC | June 1987 |
| UC-356-87 | Car wash facility with detailing shop in conjunction with an automobile repair and service center expired | Approved by PC | December 1987 |
| UC-133-87 & AC-30-88 | Reduced the height of a block zone boundary wall in conjunction with an automobile service center | Approved by PC | July 1989 |
| ZC-124-86 | Reclassified the site to C-2 zoning for a shopping center | Approved by BCC | June 1986 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|--|-----------------|---|
| North | Residential Urban Center (18 du/ac to 32 du/ac) | R-4 | Entrance driveway to a multiple family development |
| South | Residential Urban Center (18 du/ac to 32 du/ac) & Commercial General | R-4 & C-2 | Multiple family development & mini-warehouse facility |
| East | Residential Urban Center (18 du/ac to 32 du/ac) & Commercial General | R-4 & C-2 | Multiple family development & Shopping center |
| West | Residential Urban Center (18 du/ac to 32 du/ac) | R-4 | Multiple family development |

Clark County Public Response Office (CCPRO)

Six cases regarding commercial graffiti were initiated and closed/resolved in 2018.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Comprehensive Master Plan. One of several criteria the

applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

The existing automobile maintenance and repair facility was designed and built to accommodate a range of automobile related services. The proposed vehicle paint/body shop is compatible with the existing automobile related services offered at this facility. In addition, staff does not anticipate any additional negative impacts to the surrounding multiple family residential developments. The automobile maintenance and repair facility appears clean and well maintained. As a result, surrounding residences should not be able to discern any noticeable difference by allowing a vehicle paint/body shop at this location.

Waivers 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.

Similar to the use permit, staff can support the waivers of development standards since the vehicle paint/body shop is in conjunction with an existing vehicle maintenance and repair facility and no changes are proposed to the exterior of the site. Allowing a vehicle paint/body shop not accessory to automobile sales, allowing existing service bay doors to remain unscreened, and reducing the separation for a vehicle paint/body shop from a residential use will not create any negative impacts to the public health, safety, and welfare. Furthermore, the proposed use is compatible with Urban Specific Policy 59 in the Comprehensive Master Plan that discourages nuisances caused by incompatible commercial uses that are not consistent with existing residential development. Adequate parking exists on-site to accommodate all the automobile related uses, and in addition, the applicant plans to store vehicles for the paint/body shop inside the building while the cars are getting repaired. Staff does not anticipate any additional negative impacts to the adjacent residential development since the automobile maintenance and repair facility is existing.

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

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:
APPROVALS:
PROTESTS:**

APPLICANT: EDWARD COSTA

CONTACT: EDWARD COSTA, 6739 QUAPAW STREET, LAS VEGAS, NV 89149

DRAFT

8

02/19/19 PC AGENDA SHEET

SETBACK
(TITLE 30)

GOLDEN SPRING AVE/ANACAPA WY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-1027-TAM, THOMAS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the rear setback for an existing addition; and 2) allow the front yard to exceed the minimum hardscape in conjunction with an existing single family residence on 0.2 acres in the R-1 (Single Family Residential) Zone.

Generally located on the north side of Golden Spring Avenue, 56 feet east of Anacapa Way within Spring Valley. JJ/jt/ma (For possible action)

RELATED INFORMATION:

APN:
163-12-811-016

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the rear setback for an addition to a single family residence to 15 feet where 20 feet is the minimum per Table 30.40-2 (a 25% reduction).
2. Increase hardscape (concrete driveway) in the front yard to 71% of the width where 60% of the width is the maximum per 30.64.030 (c)(3) (a 19% increase).

LAND USE PLAN:
SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5226 Golden Spring Avenue
- Site Acreage: 0.2
- Project Type: Addition to a single family residence
- Number of Stories: 1
- Building Height: 15 feet 6 inches (residence)/8 feet 7 inches (addition)
- Square Feet: 2,110 (residence)/454 (addition)

Site Plan

The site plan depicts an existing single family residence set back approximately 24 feet from the front property line. An existing concrete driveway covers approximately 71% of the width of the front yard. An existing addition is located on the north (rear) side of the residence, set back 15

8

feet from the north property line, 6 feet from the east property line, and 26 feet from the west property line. Block walls separate the side and rear of the site from adjacent homes in the subdivision.

Landscaping

The front yard is covered with red rock groundcover and no landscaping. The existing concrete driveway occupies the majority of the front yard. The rear yard also contains no landscaping, and no landscaping is proposed adjacent to the home addition.

Elevations

The existing stucco house includes a pitched roof with asphalt shingles at a height of 15 feet 6 inches to the top of the roof mounted mechanical equipment. The rear addition includes a relatively flat roof with asphalt shingles at a height of 8 feet 7 inches where the roof connects to the house. The roof of the addition slopes down to 8 feet 4 inches at the northernmost part. New stucco finish on the addition will match the finish of the house.

Floor Plans

The 454 square foot addition includes 2 bedrooms and 2 bathrooms. Both bedrooms are accessed from separate exterior entrances (no interior access is provided between the bedrooms and the existing house or between the bedrooms). As a result, each bedroom/bathroom appears as a standalone unit. A rear porch is located between the 2 bedrooms that provides exterior access from the backyard to the master bedroom in the residence.

Applicant's Justification

According to the applicant, the addition to the house and the expansion of the driveway were made by a previous owner, prior to the applicant purchasing the house 13 years ago.

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|----------------------------|--------------------------------------|------------------------|---------------------------|
| North, South, East, & West | Residential Suburban (up to 8 du/ac) | R-1 | Single family subdivision |

Clark County Public Response Office (CCPRO)

CE18-12784 is an active violation for the building addition without permits.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers 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.

In the Comprehensive Master Plan, Urban Specific Policy 39 encourages appropriate setbacks, buffers, and landscaping for all single family residential developments. The reduced rear setback for the addition is not mitigated by any additional landscaping or architectural design features. Instead, the addition amplifies the negative impacts on adjacent properties by reducing the rear setback which is intended to create a buffer between uses. Furthermore, the addition appears to provide additional dwelling units to the residence since there is no interior access to the bedrooms. Additional persons living in the bedrooms could effectively create a multi-family dwelling unit on a parcel that is zoned and planned for a single family residence. Additional impacts to the neighborhood could include noise, vehicle traffic, and pedestrian traffic from individuals at the residence. As a result, staff cannot support the request to reduce the rear setback.

Staff also cannot support the request to increase the hardscape area of the front yard. Landscaping provides aesthetic, environmental, and economic benefits to the residence and the neighborhood. By paving the majority of the front yard the intended benefits of the landscaping are eliminated.

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 Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning
If approved:

- 1 year to complete with any extension of time to be a public hearing;
- Provide interior access between the bedrooms and the residence;
- Plant 3 trees between the addition and the rear property line;
- Plant 2 trees and 3 shrubs in the front yard;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised approval of this application does not constitute or imply approval of or any other County issued permit, license or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and 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.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: THOMAS TAM

CONTACT: RON MARTONICK, 3228 CEREUS AVENUE, LAS VEGAS, NV 89146

DRAFT

02/20/19 BCC AGENDA SHEET

MESSAGE ESTABLISHMENT
(TITLE 30)

RED ROCK ST/SPRING MOUNTAIN RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-18-400268 (UC-1908-05)-SPRING MOUNTAIN PLAZA, LLC:

USE PERMIT SEVENTH APPLICATION FOR REVIEW for a massage establishment in conjunction with an existing retail center on 1.9 acres in a C-2 (General Commercial) Zone.

Generally located on the northwest corner of Red Rock Street and Spring Mountain Road within Spring Valley. JJ/sv/ma (For possible action)

RELATED INFORMATION:

APN:

163-13-101-016

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5980 Spring Mountain Road
- Site Acreage: 1.9
- Project Type: Massage
- Number of Stories: 1
- Square Feet: 1,900 of 24,850
- Parking Required/Provided: 100/103

Site Plan

The original site plan shows a 1,900 square foot massage establishment within an existing 24,850 square foot retail center. There are 2 vehicle entrance points along Red Rock Street and 2 vehicle entrance points along Spring Mountain Road. The larger 14,725 square foot building is along the north side of the property and there are 2 buildings of 5,280 square feet in size and 4,845 square feet in size along Spring Mountain Road.

Landscaping

There is no additional landscaping required or proposed for this site.

Floor Plans

The floor plans depict a 1,900 square foot massage establishment that takes up Suites 3C and 4C within an existing retail center. The establishment includes a reception area, 10 massage rooms, a customer waiting area, laundry room, restroom, shower area, sauna, and steam room.

Previous Conditions of Approval

Listed below are the approved conditions for AR-18-400005 (UC-1908-05):

Current Planning

- Until December 18, 2018 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that the extension of time may be denied if the projected has not commenced or there has been no substantial work towards completion within the time specified.

Listed below are the approved conditions for UC-1908-05 (ET-0126-14):

Current Planning

- Until January 19, 2018 to review.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Building/Fire Prevention

- Applicant is advised that the proposal has been reviewed and it does not conflict with Fire Code requirements.

Listed below are the approved conditions for UC-1908-05 (ET-0009-13):

Current Planning

- Until January 19, 2015 to review.
- Applicant is advised that if there are any violations of applicable laws the Board may initiate proceedings to revoke the use permit; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that upon approval of change in use of the property, applicant to update CCWRD Customer Service account for change in existing plumbing fixtures use codes, as well as for any needed additional capacity and/or connection fees that need to be addressed.

Listed below are the approved conditions for UC-1908-05 (ET-0172-10):

Current Planning

- Until January 19, 2013 to review as a public hearing;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1908-05 (ET-0331-09):

Current Planning

- Until October 20, 2010 to review as a public hearing;
- Display a sign stating, "Prostitution is Illegal in Clark County";
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1908-05 (ET-0407-07):

Current Planning

- Until January 19, 2010 to review;
- 24 hour operation;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Listed below are the approved conditions for UC-1908-05:

Current Planning

- Two years for review;
- Security lighting for the north side of the building;
- All applicable standard conditions for this application type.
- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant requests that the pending application for review be approved for a permanent license and that no other substantive changes be instituted for this business location. The applicant states that it has maintained continuous operation and is in full compliance with Clark County Business Licensing.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|------------------------------|--|-----------------|---------------|
| AR-18-400005 (UC-1908-05) | Sixth extension of time for massage establishment | Approved by BCC | March 2018 |
| UC-1908-05 (ET-0126-14) | Fifth extension of time for massage establishment | Approved by BCC | December 2014 |
| UC-1908-05 (ET-0009-13) | Fourth extension of time for massage establishment | Approved by PC | March 2013 |

Prior Land Use Requests

| Application Number | Request | Action | Date |
|----------------------------|--|----------------|---------------|
| UC-1908-05 (ET-0172-10) | Third extension of time for massage establishment | Approved by PC | December 2010 |
| UC-1908-05 (ET-0331-09) | Second extension of time for a massage establishment | Approved by PC | April 2010 |
| UC-1908-05 (ET-0407-07) | First extension of time for massage establishment | Approved by PC | February 2008 |
| UC-1908-05 | Original request for massage establishment | Approved by PC | January 2006 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|-------|---|-----------------|---|
| North | Rural Neighborhood Preservation (up to 2 du/ac) | R-E | Single family residential |
| South | Commercial General | C-2 | Convenience store & self-serve vehicle wash with smog check |
| East | Commercial Neighborhood | C-1 & C-2 | Minor training facility for dealer school & restaurant |
| West | Commercial General | C-2 | Walgreens pharmacy |

STANDARDS FOR APPROVAL:

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

Analysis**Current Planning**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Based on previous information provided by the Metropolitan Police Department, related to possible illegal activities at this location, staff recommends another review in 2 years.

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

- Until December 18, 2020 to review as a public hearing.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: CASTLE HEALTH SPA, LLC

**CONTACT: KIRK KENNEDY, 815 S. CASINO CENTER BOULEVARD, LAS VEGAS, NV
89101**

02/20/19 BCC AGENDA SHEET

RESIDENTIAL SUBDIVISION
(TITLE 30)

SANTA MARGARITA ST/OQUENDO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0015-NA MINGXING:

WAIVER OF DEVELOPMENT STANDARDS for off-site improvements (curb, gutter, sidewalks, street lights, and partial paving).

DESIGN REVIEW to increase the finished grade in conjunction with a proposed single family subdivision on 2.1 acres in an R-E (Rural Estates Residential) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the southeast corner of Santa Margarita Street and Oquendo Road within Spring Valley. MN/jt/ja (For possible action)

RELATED INFORMATION:

APN:

163-35-202-001

WAIVER OF DEVELOPMENT STANDARDS:

Waive off-site improvements for Santa Margarita Street and Oquendo Road (curb, gutter, sidewalks, street lights, and partial paving) per Chapter 30.52.

DESIGN REVIEW:

Increase the finished grade for a single family residential development to 54 inches where 18 inches is the standard per Section 30.32.040 (a 200% increase).

LAND USE PLAN:

SPRING VALLEY - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.1
- Number of Lots/Units: 4
- Density (du/ac): 2
- Minimum/Maximum Lot Size (square feet): 22,203/22,282 (gross)/ 21,362/22,281 (net)
- Project Type: Single family residential development

Site Plan

The site plan depicts a proposed 4 lot single family subdivision with a private cul-de-sac. The entrance to the subdivision is from Santa Margarita Street. No off-site improvements are proposed for Santa Margarita Street or Oquendo Road, and finished grade for the subdivision will be up to 54 inches above the adjacent lots.

Applicant's Justification

According to the applicant, waiving the off-site improvements will produce an environment of stable and desirable character with the rural preservation neighborhood. The slope of the land requires the pad elevation increase.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|---------------|-----------|
| ZC-0270-03 | Nonconforming zone change to reclassify the site to C-P zoning for a professional office | Denied by BCC | June 2003 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|---------------|--|-----------------|-------------------------|
| North & South | Open Land (open space/grazing/vacant land); residential (up to 1 du/10 ac) | R-E | Undeveloped |
| East | Rural Neighborhood Preservation (up to 2 du/ac) | R-E | Single family residence |
| West | Office Professional | C-P | Office complex |

Related Applications

| Application Number | Request |
|--------------------|--|
| VS-19-0001 | A vacation and abandonment for government patent easements 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

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.

Public Works - Development Review

Waiver of Development Standards

Historical events have demonstrated how important off-site improvements are for drainage control. Additionally, full width paving allows for better traffic flow and sidewalks on public streets provide safer pathways for pedestrians and for children to walk to school. With the properties on the west side of Santa Margarita Street developed with full off-site improvements, the subject parcel should have full off-site improvements installed as a first step towards complete the street network. Therefore, staff cannot support the waiver of development standards for full off-site improvements.

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.

Department of Aviation

The property lies within the AE 60 (60 - 65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade McCarran International facilities to meet future air traffic demand.

Staff Recommendation

Approval of the design review; and denial of the waiver of development standards.

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

If approved:

- 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 and compliance;
- 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;
- Right-of-way dedication to include the spandrel at the northwest corner of 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.

Department of Aviation

- Applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Department of Aviation;
- Applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Department of Aviation;
- Applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- Incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations which was constructed after October 1, 1998; and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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 #0008-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:
APPROVALS:
PROTESTS:**

**APPLICANT: ENGINEERING AND CONSULTING ALLIANCE
CONTACT: ENGINEERING AND CONSULTING ALLIANCE, 1740 DELL RANGE
BOULEVARD, SUITE 454-H, CHEYENNE, WY 82009**

01/22/19 PC AGENDA SHEET

SERVICE BAR
(TITLE 30)

SPRING MOUNTAIN RD/LINDELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

AR-18-400252 (UC-1056-17)-K H GOLDEN INVESTMENTS, LLC:

USE PERMIT FIRST APPLICATION FOR REVIEW to allow on-premises consumption of alcohol (service bar).

WAIVER OF DEVELOPMENT STANDARDS for reduced parking in conjunction with a proposed restaurant in an existing office and retail development on a portion of 1.2 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Spring Mountain Road, 650 feet west of Lindell Road within Spring Valley. JJ/sd/ml (For possible action)

RELATED INFORMATION:

APN:

163-13-203-004

WAIVER OF DEVELOPMENT STANDARDS:

Reduce parking to 68 spaces where a minimum of 80 spaces are required per Chapter 30.60 (a 15% reduction).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 5645 and 5685 W. Spring Mountain Road
- Site Acreage: 1.2
- Project Type: Service bar
- Square Feet: 2,000 (restaurant)
- Parking Required/Provided: 80/68

Site Plans & Project Scope

The approved plans depict a proposed restaurant in a suite within an office and retail development. The existing suite is located in the larger of the 2 buildings located on the property. No changes are required or planned to the site design. The approved request was for a service bar.

Landscaping

All street and site landscaping exists and no new landscaping is either required or proposed.

Elevations

The existing building is 2 stories with stucco siding and a glass storefront.

Floor Plans

The plans show a proposed 2,000 square foot restaurant with a kitchen, office, restrooms, seating, and dining area.

Signage

No additional signage is proposed with this request.

Previous Conditions of Approval

Listed below are the approved conditions for UC-1056-17:

Current Planning

- 1 year to commence and review to ensure the parking is adequate and additional mitigation measures are necessary;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time and application for review; and that 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.

Public Works – Development Review

- Vacate existing access easements at driveways and re-dedicate pedestrian access easements per new driveway requirements.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

Applicant's Justification

The applicant states that although the shopping center has insufficient parking spaces to accommodate the existing restaurant (2000 square foot) with a service bar there have been no parking issues. The shopping center currently only has one other tenant (Insurance Broker) that occupies 1,768 square feet of the total 14,912 square foot building site. The adjacent office tenant has office hours from 8:00 a.m. to 5:00 p.m. and are closed on weekends, which according to the applicant limits the overall shortage of parking spaces during peak hours. In addition, the property has 6 foot concrete block walls on the south, east and west property lines limiting ingress/egress to the property from Spring Mountain Road, which in turn prevents traffic flow into adjacent residential neighborhoods and reduces overall impacts on the surrounding area.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|--------------------|--|-----------------|--------------|
| UC-1056-17 | On-premises consumption of alcohol (service bar), with a waiver of development standards for reduced parking in conjunction with a proposed restaurant | Approved by PC | January 2018 |
| ZC-112-96 | Reclassified the property to C-1 zoning for an office and retail development | Approved by BCC | August 1996 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District | Existing Land Use |
|--------------------|---------------------------|------------------------|---|
| North, West & East | Commercial General | C-2 | Retail stores/building & construction supplied & services |
| South | Residential Suburban | R-1 (5 units per acre) | 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**

Title 30 standards of approval for an application for review state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Since approval in 2018 the applicant has obtained a requisite business license and tenant improvement permits. Review of County records show no issues related to Public Response complaints and building enforcement on the property; therefore, staff recommends approval of the application for review.

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**

- Remove the time limit.

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: CHOM SU HWANG

CONTACT: JAMES YU, 2560 MONTESSOURI ST, STE 208, LAS VEGAS, NV 89117

DRAFT