



Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

April 9, 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 Carmen Hayest at 702-371-7991 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 March 26, 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 April 9, 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-19-0171-BENEFITS PLAZA INC:**

VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and Sunset Road, and between Durango Drive and Cimarron Road within Spring Valley (description on file). MN/sv/ja (For possible action) **05/07/19 PC**

2. **VS-19-0194-DECATUR-SUNSET R L T O-J L #7 LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Hauck Street and between Sunset Road and Teco Avenue and a portion of a right-of-way being Sunset Road located between Decatur Boulevard and Hauck Street within Spring Valley (description on file). MN/jvm/ja (For possible action) **05/07/19 PC**

3. **VS-19-0222-RUSSELL MINI STORAGE PARTNERS, LLC:**

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Durango Drive and Cimarron Road within Spring Valley (description on file). MN/tk/ja (For possible action) **05/07/19 PC**

4. **VS-19-0227-NEEDHAM, HOWARD J. & CHRISTINE S.:**

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street (alignment), and between Sobb Avenue and Post Road within Spring Valley (description on file). MN/rk/ja (For possible action) **05/07/19 PC**

5. **UC-19-0177-MINZER GARY ALAN LIVING TRUST & MINZER GARY ALAN TRS:**

USE PERMIT for vehicle rental in conjunction with an existing vehicle repair facility on 2.2 acres in a C-1 (Local Business) Zone. Generally located on the west side of Jones Boulevard and the south side of Flamingo Road within Spring Valley. MN/jt/ja (For possible action) **04/16/19 PC**

6. **DR-19-0163-AAG - REAL ESTATE/LAS VEGAS, LLC:**

DESIGN REVIEW for changes to a previously approved automobile maintenance facility on a portion of 6.9 acres in a C-P (Office and Professional) Zone and C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the southwest corner of Sahara Avenue and Bronco Street within Spring Valley. JJ/jt/ja (For possible action) **04/17/19 BCC**

BOARD OF COUNTY COMMISSIONERS
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LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager

7. **ZC-19-0223-1CHRONICLES 410, LLC:**
ZONE CHANGE to reclassify 0.5 acres from R-E (Rural Estates Residential) Zone to CRT (Commercial Residential Transitional) Zone.
USE PERMIT to allow a school.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking lot landscaping; **2)** increased building height; **3)** reduced drive aisle width; and **4)** reduced height setback ratio.
DESIGN REVIEW for a school building in conjunction with a proposed school on 1.1 acres in a CRT (Commercial Residential Transitional) Zone in the Desert Inn Road Transition Corridor Overlay District. Generally located on the north side of Desert Inn Road, and 271 feet east of Torrey Pines Drive within Spring Valley (description on file). JJ/jor/ja (For possible action) **04/17/19 BCC**
8. **NZC-19-0191-DECATUR SUNSET N W R L T O J L #7, LLC:**
ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (AE-60 & AE-65) Zone to C-2 (General Commercial) (AE-60 & AE-65) Zone.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced driveway separation; and **2)** allow modified driveway design standards.
DESIGN REVIEW for 2 restaurants with drive-thru facilities in the CMA Design Overlay District. Generally located on the north side of Sunset Road and the east side of Hauk Street within Spring Valley (description on file). MN/pb/ja (For possible action) **05/07/19 PC**
9. **UC-19-0226-NEEDHAM, HOWARD J. & CHRISTINE S.:**
USE PERMIT to eliminate the pedestrian access around the outside dining/drinking area.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase height of a freestanding sign; **2)** permit neon signage; **3)** exceed luminance values beyond the property containing the light source; **4)** reduce driveway approach and departure distances from the intersection; and **5)** modified driveway design standards.
DESIGN REVIEWS for the following: **1)** fast food restaurant with drive-thru; and **2)** alternative parking t landscaping on 2.2 acres in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District. Generally located on the west side of Rainbow Boulevard and the south side of Sobb Avenue within Spring Valley. MN/rk/ja (For possible action) **05/07/19 PC**
10. **WS-18-0972-S D P DEVELOPMENT, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth along Durango Drive.
DESIGN REVIEW for a retail center on 3.9 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/sd/ja (For possible action) **05/07/19 PC**
11. **WS-19-0195-FORT APACHE STORAGE DEPOT, LLC:**
WAIVER OF DEVELOPMENT STANDARDS to allow an existing security wall/fence with razor wire.
DESIGN REVIEW for an existing security wall/fence in conjunction with an existing mini-warehouse facility on 2.9 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the south side of Flamingo Road and approximately 300 feet east of Fort Apache Road within Spring Valley. MN/sd/ja (For possible action) **05/07/19 PC**

12. **DR-19-0208-DOUMANI DOMINIQUE FAMILY TRUST & DOUMANI DOMINIQUE TRS:**
DESIGN REVIEW for increased finished grade in conjunction with an approved convenience store, gasoline station, and carwash on a 1.8 acre parcel in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Jones Boulevard and the south side of Russell Road within Spring Valley. MN/rk/ja (For possible action) **05/08/19 BCC**
13. **TM-19-500069-DOUMANI DOMINIQUE FAMILY TRUST & DOUMANI DOMINIQUE TRS:**
TENTATIVE MAP for a commercial subdivision on a 1.8 acre parcel in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District. Generally located on the east side of Jones Boulevard and the south side of Russell Road within Spring Valley. MN/rk/ja (For possible action) **05/08/19 BCC**
14. **UC-19-0216-FLY VEGAS HOLDINGS, LLC:**
USE PERMIT to allow a recreational facility (indoor skydiving).
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase the building height; **2)** reduce the departure distance; and **3)** reduce the throat depth.
DESIGN REVIEW for a recreational facility (indoor skydiving) establishment on a portion of 1.7 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the south side of Roy Horn Way, 390 feet east of Buffalo Drive within Spring Valley. MN/jor/ja (For possible action) **05/08/19 BCC**
15. **WC-19-400037 (ZC-1660-01)-FLY VEGAS HOLDINGS, LLC:**
WAIVER OF CONDITIONS of a zone change for right-of-way dedication to include 30 feet for Pama Lane together with a knuckle at Tioga Way in conjunction with a proposed recreational facility (indoor skydiving) on a portion of 1.7 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the south side of Roy Horn Way, 390 feet east of Buffalo Drive within Spring Valley. MN/jor/ja (For possible action) **05/08/19 BCC**
16. **WS-19-0188-BLACKJACK LAND, LLC:**
WAIVER OF DEVELOPMENT STANDARDS for cross access in conjunction with a proposed commercial building on 4.5 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the north side of Rafael Rivera Way and the west side of Gagnier Boulevard (alignment) within Spring Valley. MN/rk/ja (For possible action) **05/08/19 BCC**
17. **ET-19-400030 (DR-0096-17)-ORO SAHARA PRIME, LLC:**
DESIGN REVIEW FIRST EXTENSION OF TIME to commence a gasoline station with canopy and sales kiosk on a portion of 0.7 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District. Generally located on the south side of Sahara Avenue, 350 feet east of Durango Drive within Spring Valley. JJ/sv/ja (For possible action) **04/16/19 PC**
18. **WS-18-0997-SPRING MOUNTAIN, LLC:**
AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced street landscape width; **2)** parking lot landscaping (no longer needed); **3)** waive minimum 5 foot wide sidewalk between buildings and pavement (no longer needed); **4)** reduced parking; **5)** reduce loading zone requirements (previously not notified); **6)** alternative driveway geometrics (previously not notified).

DESIGN REVIEWS for the following: **1)** proposed retail buildings; and **2)** façade changes, drive-thru lane, an addition to an existing building (no longer needed) 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) **04/16/19 PC**

VII. General Business

1. None

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: April 30, 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
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LARRY BROWN - JAMES GIBSON - JUSTIN JONES - MICHAEL NAFT - TICK SEGERBLOM
YOLANDA KING, County Manager

EASEMENTS
(TITLE 30)

DURANGO DR/ SUNSET RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0171-BENEFITS PLAZA INC:

VACATE AND ABANDON easements of interest to Clark County located between Patrick Lane and Sunset Road, and between Durango Drive and Cimarron Road within Spring Valley (description on file). MN/sv/ja (For possible action)

RELATED INFORMATION:

APN:

163-33-301-001; 163-33-301-002; 163-33-301-008; 163-33-401-002; 163-33-401-003; 163-33-401-006; 163-33-401-010

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

The applicant is requesting the vacation and abandonment of seven, 33 foot wide government patent easements. Each parcel is listed below along with the vacation and abandonments being requested.

Parcels:

- 163-33-301-001 - 33 feet wide on the east and south side of the parcel.
- 163-33-301-002 - 33 feet wide on the east, south, and west side of the parcel.
- 163-33-301-008 - 33 feet wide on the north, east, south, and west side of the parcel.
- 163-33-401-002 - 33 feet wide on the north, east, south, and west side of the parcel.
- 163-33-401-003 - 33 feet wide on the north, east, south, and west side of the parcel.
- 163-33-401-006 - 33 feet wide on the north, east, south, and west side of the parcel.
- 163-33-401-010 - 33 feet wide on the north, east and west side of parcel.

The applicant states that existing patent easements are not required for the development of its UNLV Technology Park site at this location.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-0095-10 (UC-0448-08)	First extension of time for use permits, waiver of development standards, and design review for UNLV research foundation	Approved by BCC	August 2010
WS-0139-10	Waiver of development standards to deviate from the West Village Streetscape Design Standards, and a design review for monument signs in conjunction with the public/quasi-public facility	Approved by BCC	May 2010
WS-0014-10	Allowed a non-standard street improvement in the right-of-way (landscape median)	Approved by BCC	February 2010
ET-0356-09 (VS-1398-07)	First extension of time patent easements	Approved by PC	February 2010
UC-0448-08	Public/quasi-public buildings and facilities, and uses such as offices, laboratories, manufacturing (pharmaceutical), hazardous materials storage, university related facilities, restaurants, retail sales and services, and personal services along with a waiver of development standards to reduce parking and allow alternative landscaping, and a design review for an office/industrial building	Approved by BCC	December 2005
VS-1398-07	Vacation and abandonment of easements on Gagnier Street and Sobb Avenue	Approved by PC	November 2007
ZC-1715-05	Reclassified approximately 122 acres to M-D zoning for future development of a science research center	Approved by BCC	December 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional, and Residential Suburban (up to 8 du/ac)	C-P, R-2, & R-E	Office buildings, medium density residential, & undeveloped rural estates residential
South	Commercial General (CG)	C-2 & R-E	Developed & undeveloped commercial, undeveloped rural estates residential, & undeveloped designed manufacturing
East	Business and Design/Research Park and Residential Suburban	M-D & R-E	Undeveloped zoned for light manufacturing, & east across Cimarron Road are medium density residential homes
West	Residential Suburban (up to 8 du/ac), and Residential Urban Center (up to 18/du/ac)	R-2, R-E, C-2, & R-4	Medium density residential homes, undeveloped land zoned C-2, multiple family residential homes, & undeveloped zoned C-2

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

- 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: GARDENER NEVADA TECH PARK HOLDINGS LLC
CONTACT: SLATER HANIFAN GROUP, 5740 S. ARVILLE ST, STE 216, LAS VEGAS, NV 89118

5/07/19 PC AGENDA SHEET

EASEMENTS & RIGHT-OF-WAY
(TITLE 30)

DECATUR BLVD/SUNSET RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0194-DECATUR-SUNSET R L T O-J L #7 LLC:

VACATE AND ABANDON easements of interest to Clark County located between Decatur Boulevard and Hauck Street and between Sunset Road and Teco Avenue and a portion of a right-of-way being Sunset Road located between Decatur Boulevard and Hauck Street within Spring Valley (description on file). MN/jvm/ja (For possible action)

RELATED INFORMATION:

APN:
163-36-801-029

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description

This is a request to vacate and abandon an existing 150 square foot easement for a bus pad which is currently located within the approach to the site. This easement will be granted in a new location more appropriate for the bus pad. In addition, this request includes a vacation of right-of-way being 1,372 square foot portion of Sunset Road which will allow the bus turnout to follow the approved RTC design.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-17-0997	Convenience store with gasoline pumps	Approved by PC	January 2018
VS-0231-10	Vacated a portion of Decatur Boulevard (west side) to accommodate a detached sidewalk	Approved by PC	July 2010
WS-0435-09	Allowed a convenience store/car wash/restaurant – expired	Approved by BCC	August 2009
DR-0629-07	Shopping center and a waiver of conditions requiring perpetual cross access, ingress/egress and parking agreement with the property to the north	Approved by BCC	August 2007
ZC-1595-98	Reclassified the site to C-2 zoning for a tavern and convenience store	Approved by BCC	November 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Business and Design/Research Park	C-2	Commercial uses
South	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	R-E	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

Staff supports this vacation request to properly align the right-of-way for the bus turnout with existing improvements. Additionally, the shelter pad will be enlarged and moved to the east so it does not interfere with the driveway into the site.

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

- Applicant shall coordinate the new dedications with the Map Team;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MAVERIK, INC
CONTACT: RICK MAGNESS, MAVERIK, INC, 185 S. STATE STREET, SUITE 800,
SALT LAKE CITY, UT 84111

DRAFT

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05/07/19 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

RUSSELL RD/DURANGO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0222-RUSSELL MINI STORAGE PARTNERS, LLC:

VACATE AND ABANDON easements of interest to Clark County located between Russell Road and Oquendo Road, and between Durango Drive and Cimarron Road within Spring Valley (description on file). MN/tk/ja (For possible action)

RELATED INFORMATION:

APN:
163-33-114-002

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:
Project Description

The applicant is requesting to vacate and abandon the pedestrian access easement, which is located on the north end of the subject property. The applicant states the pedestrian access easement is not required for the current project.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-18-0790	Mini-warehouse, commercial vehicle rental and recreational vehicle storage, with a waiver of development standards for building height and design reviews for a mini-warehouse, comprehensive sign package and increased finished grade	Approved by BCC	November 2018
ZC-0546-15	Reclassified the site to C-1 zoning for a shopping center	Approved by BCC	December 2015

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Facilities	P-F	Flamingo detention basin
East	Residential High (8 to 18 du/ac)	R-3	Multiple family residential development
South	Commercial Neighborhood	C-1	Approved office complex

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Commercial General	C-2	Commercial development consisting of convenience store & gasoline station & coffee shop

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 this request because the driveway where the easement is located is no longer being installed.

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

- Grant new easements over a portion of the vacated area, if necessary;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: JIM HAMMER

CONTACT: LOCHSA ENGINEERING, 6345 S. JONES BLVD, STE 100, LAS VEGAS, NV
89118

DRAFT

05/07/19 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

RAINBOW BLVD/SOBB AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-19-0227-NEEDHAM, HOWARD J. & CHRISTINE S.:

VACATE AND ABANDON easements of interest to Clark County located between Rainbow Boulevard and Rosanna Street (alignment), and between Sobb Avenue and Post Road within Spring Valley (description on file). MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:
163-34-701-016

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description

The applicant is requesting to vacate and abandon the 33 foot wide patent easements that are located on the west and south sides of the subject parcel, and a 3 foot wide patent easement that is located on the north end of the parcel. The applicant states that these patent easements are no longer necessary as the rights-of-way have been granted and will not have a negative impact on the neighborhood or surrounding areas.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1208-97	Reclassified this site to C-1 zoning for a shopping center	Approved by BCC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Office complex
South	Commercial Neighborhood	C-1	Commercial center
East	Commercial General	C-2	Commercial center
West	Business and Design/Research Park	M-D	Distribution building

Related Applications

Application Number	Request
UC-19-0226	A use permit for a fast food restaurant with outside dining 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 30 feet for Sobb Avenue, additional right-of-way at the intersection of Sobb Avenue and Rainbow Boulevard, if necessary, to match the dedication to the north, and the associated spandrel on the northeast 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.
- Applicant is advised that the installation of detached sidewalks will require 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.

Building Department - Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: C & J FOOD COMPANY

CONTACT: JOEY BLANCO, 2251 N. RAMPART BOULEVARD #418, LAS VEGAS, NV
89128

DRAFT

04/16/19 PC AGENDA SHEET

VEHICLE RENTAL
(TITLE 30)

JONES BLVD/FLAMINGO RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0177-MINZER GARY ALAN LIVING TRUST & MINZER GARY ALAN TRS:

USE PERMIT for vehicle rental in conjunction with an existing vehicle repair facility on 2.2 acres in a C-1 (Local Business) Zone.

Generally located on the west side of Jones Boulevard and the south side of Flamingo Road within Spring Valley. MN/jt/ja (For possible action)

RELATED INFORMATION:

APN:

163-23-502-003

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4155 S. Jones Boulevard
- Site Acreage: 2.2
- Project Type: Vehicle rental
- Number of Stories: 1
- Square Feet: 22,213
- Parking Required/Provided: 96/103

Site Plan

The site plan depicts an existing vehicle repair facility with the retail sale of automobile parts and accessories. The building is located near the center of the site, and the vehicle repair bays are located on the north side of the building. Parking spaces are located around the perimeter of the site, with additional parking located along a drive aisle connecting to Flamingo Road to the north and along a drive aisle connecting to Fairbanks Road to the south.

Without the vehicle rental, 119 parking spaces are provided where 96 spaces are required; however, the applicant proposes to use up to 16 spaces for vehicle rental. As a result, 103 spaces will be provided where 96 spaces are required. Access to the site is provided by 2 driveways on Jones Boulevard, a drive aisle/driveway on Flamingo Road to the north, and a drive

aisle/driveway on Fairbanks Road to the south. A trash enclosure is located in the west portion of the property. No changes to the site are proposed.

Landscaping

No changes to the existing landscaping are required or proposed. The existing landscaping consists of planters along Jones Boulevard street frontage, the drive aisle to Flamingo Road, and the drive aisle to Fairbanks Road.

Elevations

The existing 1 story building includes a mansard style decorative roof element with standing seam metal on the front elevation facing Jones Boulevard. The front elevation also includes an overhang and arches to create an arcade along the front of the building. Storefront window systems provide access to the retail portion of the building. Other elevations include painted stucco and parapet walls along the roof line. Ten service bays with overhead roll-up doors face north.

Floor Plans

The 22,213 square foot building includes 17,686 square feet of retail and 4,527 square feet for the vehicle repair/service bays. A workstation with desks and seats for vehicle rental is designated within a portion of the retail area.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the proposed vehicle rental business is designed to provide rental vehicles to Transportation Network Company (TNC) drivers (Uber) and not to the general public. TNC drivers will be able to rent vehicles for a 7 to 28 day contract. This service will employ 3 to 4 people, and hours of operation will be Monday through Friday from 9:00 a.m. to 5:00 p.m. The applicant does not anticipate any negative impacts since the site has an excess of parking spaces above Code standards, and only 16 parking spaces will be used for the vehicle rental business.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-004-89 & VC-008-89	Reclassified the site to C-1 zoning with a variance to construct an automobile parts and accessory store and service and repair facility	Approved by BCC	February 1989

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-1 & C-2	Retail complex & shopping center
South	Residential Suburban (up to 8 du/ac)	C-1 & R-1	Place of worship & single family residences

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Commercial General	C-2	Gasoline station, convenience store, & vehicle wash; vacant; & retail complex
West	Public Facilities	P-F	West Flamingo Senior Center

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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 proposed vehicle rental business will not result in any undue adverse effects on adjacent properties. Excess parking spaces are available on-site to park the rental vehicles, and the site will still have an excess of 7 spaces after 15 spaces are allocated for rental vehicles. Therefore, staff finds that the request is consistent with Land Use Goal 9, which encourages commercial development integrated in appropriate locations, and can support the request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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: DENNIS WILLIAMS
CONTACT: DENNIS WILLIAMS, NANSHE PARTNERS, 3102 E. MARIPOSA STREET,
PHOENIX, AZ 85016

DRAFT

04/17/19 BCC AGENDA SHEET

AUTOMOBILE MAINTENANCE FACILITY
(TITLE 30)

SAHARA AVE/BRONCO ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-19-0163-AAG - REAL ESTATE/LAS VEGAS, LLC:

DESIGN REVIEW for changes to a previously approved automobile maintenance facility on a portion of 6.9 acres in a C-P (Office and Professional) Zone and C-2 (General Commercial) Zone in the MUD-3 Overlay District.

Generally located on the southwest corner of Sahara Avenue and Bronco Street within Spring Valley. JJ/jt/ja (For possible action)

RELATED INFORMATION:

APN:
163-11-503-001 through 003 ptn

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 6.9 (portion)
- Project Type: Vehicle maintenance facility with automobile minor paint/body shop and vehicle (car) wash
- Number of Stories: 2
- Building Height (feet): 26
- Square Feet: 13,105 existing building/21,690 proposed buildings
- Parking Required/Provided: 58/247 (includes 84 tandem spaces)

Request

This is a request for design changes to a previously approved automobile maintenance facility (ZC-0478-17). The changes include the following: 1) building area increased from 15,227 square feet to 21,690 square feet; 2) maximum building height was lowered 2 feet from 28 feet to 26 feet; 3) the car wash tunnel increased from 70 feet to 100 feet to accommodate the final equipment selection; 4) the property line between the adjacent, existing office building and approved vehicle maintenance facility will move to the north in conjunction with a future subdivision, resulting in the removal of 22 parking spaces from the existing office building site (the office building is not a part of the vehicle maintenance facility); 5) the number of service

bays increased from 14 to 16; and 6) the wall along the south side of the property will increase to 10 feet 8 inches to comply with the previous condition to "provide a minimum 10 foot high decorative block wall along the northern boundary of the landscape buffer adjacent to Laredo Street".

Site Plan

The site plan depicts an automobile maintenance facility with entrance/exit on the west side of the site from El Camino Road and an exit-only on the east side of the site onto Bronco Street. Centrally located on the western portion of the site, the building includes a maintenance and detail garage, parts warehouse, and vehicle wash. Parking spaces surround the building and are located to the east, extending up to Bronco Street. Two hundred forty-seven spaces are provided, including 28 tandem parking spaces on the west side of the site and 56 tandem parking spaces on the northeast portion of the site. Although the property line will move to the north removing 22 parking spaces from an adjacent existing office building to accommodate the expanded vehicle maintenance facility, 80 parking spaces will remain for the office building where 53 spaces are required. The adjacent office building is not a part of the vehicle maintenance facility. A trash enclosure and area to store used tires are located to the east of the maintenance building.

Landscaping

The southern 50 feet of the parcel was reserved as a landscape buffer and zoned C-P. The area will include a walking path and trees per the conditions of approval on the previous application. Additional landscaping is located adjacent to El Camino Road, within landscape fingers in the parking area on the northwest side of the site, and adjacent to Bronco Street.

Elevations

The 26 foot tall vehicle maintenance facility will be constructed with smooth face and split face CMU. A parapet wall will screen the roof, and corrugated metal panels will screen rooftop-mounted equipment. Other features include overhead roll-up doors and windows.

Floor Plans

The first floor of the 21,690 square foot vehicle maintenance facility includes a maintenance and detail garage, parts warehouse, and vehicle wash. A second floor includes additional space for the parts warehouse, IT room, and electrical room.

Lighting Plan

A lighting plan submitted with this application indicates that lighting is consistent with the original application. For example, all light fixtures will be shielded, light poles within 200 feet of the existing residences to the south will be 12 feet high, and light poles over 200 feet from the residences will be 16 feet to 20 feet in height. The plan indicates that light from this facility will not impact the existing residences to the south.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the revised plans show a project essentially indistinguishable from the original approval. Both visually and functionally, the revised plans honor the sensitive issues of the original approval, such as building height, south setback, screen walls, and circulation.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-500047	1 lot commercial subdivision map	Approved by PC	April 2018
ZC-0478-17	Reclassified the site to C-2 and C-P zoning for an automobile minor paint/body shop, vehicle maintenance facility, and vehicle (car) wash	Approved by BCC	July 2017
ZC-0497-14	Reclassified the eastern portion of the site to a C-2 zone and included use permits and a design reviews for an automobile dealership on 2.9 acres in a C-2 zone; a parking lot and driveway redesign in conjunction with an existing office building; automobile repair; and automobile minor paint/body shop	Approved by BCC	October 2014
ZC-1476-05	Reclassified the northern parcel from R-E to C-2 zoning for retail/office buildings	Approved by BCC	October 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	NV Energy offices
South	Rural Neighborhood Preservation (up to 2 du/ac) & Commercial General	R-E (RNP-I), CRT, & C-P	Single family residences & offices
East	Commercial General	C-P, C-1, & C-2	Vehicle sales facility
West	Commercial General	C-P & C-2	Vehicle sales facility

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The proposed changes to the previously approved automobile maintenance facility are consistent with all conditions of approval on the previous application (ZC-0478-17), compatible with commercial development along Sahara Avenue and single family residences to the south, and compliant with goals and policies in the Comprehensive Master Plan. For example, Urban Specific Policy 61 discourages nuisances such as noise and lighting associated with commercial development, especially when the development is adjacent to single family residential areas. The proposed development maintains the 50 foot wide landscape buffer to the south zoned C-P, all lighting is shielded and respectful of the adjacent residential development, and the building is

a low profile that is similar in height to a 2 story residence. As a result, the proposed increase in area to the automobile maintenance facility, which will accommodate more vehicles, contributes to an orderly and aesthetically pleasing environment and is harmonious and compatible with development in the area.

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

- Applicant is advised that compliance with the conditions of approval from ZC-0478-17 is required.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD does not provide sanitary sewer service in this portion of the unincorporated county; and that for any sanitary sewer needs to contact the City of Las Vegas to see if the City has any gravity sanitary sewer lines located in the vicinity of the applicant's parcel.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: AAG - REAL ESTATE/LAS VEGAS, LLC
CONTACT: LEE BUTLER, 6600 W. SAHARA AVE, LAS VEGAS, NV 89146

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04/17/19 BCC AGENDA SHEET

SCHOOL
(TITLE 30)

TORREY PINES DR/DESERT INN RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-19-0223-1CHRONICLES 410, LLC:

ZONE CHANGE to reclassify 0.5 acres from R-E (Rural Estates Residential) Zone to CRT (Commercial Residential Transitional) Zone.

USE PERMIT to allow a school.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** parking lot landscaping; **2)** increased building height; **3)** reduced drive aisle width; and **4)** reduced height setback ratio.

DESIGN REVIEW for a school building in conjunction with a proposed school on 1.1 acres in a CRT (Commercial Residential Transitional) Zone in the Desert Inn Road Transition Corridor Overlay District.

Generally located on the north side of Desert Inn Road, and 271 feet east of Torrey Pines Drive within Spring Valley (description on file). N/jor/ja (For possible action)

RELATED INFORMATION:

APN:
163-11-805-032; 163-11-805-033

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate parking lot landscaping where required per Chapter 30.64.
2. Increase the building height to 26 feet where 21 feet is the maximum per Section 30.48.460 (a 24% increase).
3. Reduce the drive aisle width to 20 feet where 24 feet is required per Table 30.60-4 (a 16% reduction).
4. Reduce the height setback ratio to 45 feet where 60 feet is required per Figure 30.56-10 (a 37% reduction).

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6440 W. Desert Inn Road
- Site Acreage: 1.1
- Number of Lots: 2

- Project Type: School
- Number of Stories: 2 (maximum)
- Building Height (feet): 26 (proposed school building) /15 (existing office building)
- Square Feet: 2,054 (existing office building) /9,880 (proposed school building)
- Parking Required/Provided: 18/22

Site Plan

The site plan depicts 2 parcels in a north-south orientation and access to the site is from Desert Inn Road. The existing office building is located on Assessor's Parcel Number (APN) 163-11-805-032 (southern parcel) and the undeveloped parcel is to the north (APN 163-11-805-033). The southern parcel was reclassified to CRT (Commercial Residential Transition) zoning via ZC-0204-13 and the northern parcel remained R-E (Rural Estates Residential) zone. The applicant is requesting a conforming zone change to reclassify the northern undeveloped parcel to CRT zoning in order to accommodate a proposed school.

Per the site plan, the southern parcel consists of an office building, 10 parking stalls, a trash enclosure, landscaping, a 20 foot wide drive aisle along the east property line, and a semi-circular driveway adjacent to Desert Inn Road. The applicant is proposing to temporarily utilize the existing office building for classrooms and the administrative offices until the school is ready to develop the northern parcel. Once the school building is constructed, the existing office building will be utilized as an administrative office building for the school.

Per the site plan, the applicant is proposing a south-facing school building on the northern parcel. The existing 20 foot wide drive aisle will be extended along the east property line to accommodate the additional 12 parking stalls and landscaping requirements on the northern parcel. The proposed school building will be set back 20 feet from the north property line, 15 feet from the west property line, 71 feet from the existing office building (south), and 45 feet from the east property line. In addition, a proposed 5 foot wide pedestrian walkway will be installed between the buildings. The existing block wall adjacent to the trash enclosure on the southern parcel will be extended north with a chain link fence, adjacent to the proposed 12 parking stalls and a pedestrian access gate will be installed south of the trash enclosure. Lastly, there is an existing 6 foot high block wall along the north, east, and west property lines of subject property.

Landscaping

Currently, the southern parcel has existing landscaping along the north, west, and south property lines and adjacent to the front elevation of the existing office building. In order to comply with the Desert Inn Road Corridor requirements (Section 30.48.480), the applicant will plant trees 15 feet on center along the west property line within the 10 foot wide landscape planter. The north property line of the northern parcel will consist of a 20 foot wide landscape planter also consisting of trees to be planted 15 feet on center. Since a portion of the east property line of the northern parcel is adjacent to an existing single family residence, the applicant will install an additional 10 foot wide landscape planter with trees. The applicant is also proposing to plant additional trees within the outdoor courtyard between the existing office building and the proposed school building.

Elevations

The elevation plans depict an existing 1 story office building with residential characteristics and an overall height of 15 feet. The exterior materials of the existing office building consist of cream colored stucco and a concrete tile roof. The proposed school building will also consist of a residential architectural design, with engineered vinyl thermal and energy efficient siding and a color palette that will match the existing office building. The overall height for the school building is 26 feet. For access to the second floor, an exterior staircase will be constructed along the south side of the proposed school building adjacent to the courtyard.

Floor Plans

The existing office building consists of 7 rooms, 3 restrooms, and storage space. The first floor of the proposed school building will consist of 5 classrooms, restrooms, a multipurpose room, and 2 patios on the northeast and northwest corner of the first floor. The second floor will consist of 5 additional classrooms and restrooms.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, Mojave Springs School is offering the community a unique and hands-on learning environment that allows the children to learn and thrive in an environment filled with nature, art, small classroom sizes, and a home-like environment. Mojave Springs School is modeled under the Waldorf Early Childhood Association of North America (WECAN) and the Association of Waldorf Schools of North America (AWSNA), where 1,000 locations are flourishing across 60 countries. There are only 150 in North America—and none are located in the Las Vegas valley. The applicant believes that the proposed use will benefit the public and offer parents an additional educational option for the children of the local community.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0204-13	Reclassified APN 163-11-805-032 from R-E zoning to CRT zoning, waivers for modified landscape requirements, reduced drive aisle width, and allow a non-standard commercial driveway, design review for an office building conversion – zone change for APN 163-11-805-033 and wavier of development standards #1 for modified landscaping was deleted	Approved by BCC	June 2013
AC-0707-N	Zoning compliance for a 10 bed community residence – no longer in operation	Approved Administratively	July 2011
ET-400066-10 (DR-0414-07)	Second extension of time of a design review to commence residential conversion into an office building – expired	Approved by BCC	June 2010

Prior Land Use Requests

Application Number	Request	Action	Date
ET-400049-09 (ZC-1863-04)	Second extension of time of a zone change to reclassify 1.1 acres from R-E Zoning to CRT Zoning for a conversion of an existing single family residence into an office building – expired	Approved by BCC	April 2009
ET-400050-09 (DR-0414-07)	First extension of time of a design review to commence residential conversion into an office building – expired	Approved by BCC	April 2009
ADET-0117-09 (ZC-1863-04)	Administrative extension of time for site which was reclassified 1.1 acres from R-E Zoning to CRT Zoning for a conversion of an existing single family residence into an office building – expired	Approved Administratively	February 2009
DR-0414-07	Office buildings (4 total) – expired	Approved by BCC	August 2007
WS-0796-05	Modified landscaping and design review for an office building	Denied by BCC	September 2005
ZC-1863-04	Reclassified 1.1 acres from R-E Zoning to CRT Zoning for a conversion of an existing single family residence into an office building – expired	Approved by BCC	November 2004
ZC-0736-96	Proposed reclassification of zoning from R-E Zoning to C-P Zoning to convert an existing residence to professional office with future development – withdrawn without prejudice	Withdrawn at BCC	July 1996

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residences
South	Residential Low (up to 3 du/ac)	R-D	Single family residences
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E (RNP-I)	Single family residence & undeveloped parcel

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Zone Change

The Desert Inn Road Transition Corridor Overlay District and the CRT (Commercial Residential Transitional) zoning allows non-residential development within specified areas to convert from residential to non-residential uses. The intent of this conforming zone change request will allow the proposed school to function on the north and south parcels. Since a school is an allowed use in the CRT Zone (southern parcel), the proposed zone reclassification will allow both parcels to be zoned CRT within the Desert Inn Road Transition Corridor Overlay District. Legal access to the northern parcel is from a 20 foot wide drive aisle from the southern parcel. Since the southern parcel is currently approved for office use, developing a single family residence north of the existing building might be incompatible even though the parcel to the east is undeveloped. The conforming zone change request is appropriate and will allow the proposed school to be designed and function appropriately.

The conforming zone change supports Goal #8 of the Clark County Comprehensive Planning Land Use Plan which in part, states that where appropriate, provide for development integrated throughout the community, including conversion of residential uses accessing arterials. In addition, Goal #10 of the Clark County Comprehensive Planning Urban Specific Policy encourages site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity. Staff is in support of this conforming zone change request.

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. Per the applicant, the proposed school would not generate more traffic than what is currently approved on the subject property (office use). The proposed school will only operate 10 months out of a calendar year. In addition, drop-off and pick-up times will occur from 8:15 a.m. to 9:00 a.m. and 2:45 p.m. to 3:15 p.m. Monday thru Friday. The school is not an uncharacteristic use within the surrounding neighborhood since Las Vegas Day School is 2,200 feet to the east and a portion of this 12 acre school is within the Desert Inn Road Transition Corridor Overlay District. Since staff is in support of the conforming zone change, staff can also support this 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.

Waiver of Development Standards #1

Landscaping promotes a visual image desired by the community through the use of low water, climate adaptable plants while reducing dust, noise, glare and heat; assist in wind control and minimize water runoff onto streets. Parking lot landscaping would normally be required within the proposed parking stalls adjacent to the proposed school building (north parcel). However, due to adequate landscaping throughout southern parcel, and proposed landscape buffers around the perimeter of the northern parcel; eliminating the required parking lot landscaping within the northern parcel is justifiable. Staff is in support of this request.

Waiver of Development Standards #2

The request to increase the proposed school building height to 26 feet where 21 feet is the maximum per code is not a significant increase. The proposed school building will be set back approximately 167 feet from Desert Inn Road. In addition, the existing office building and landscaping will partially screen the school building from the right-of-way. Buildings higher than 21 feet is not uncommon within the neighborhood since an existing place of worship (Korean-American Calvary Presbyterian Church) has an overall building height of 29 feet and is 838 feet west of the project site. Staff is in support of this waiver of development standards.

Waiver of Development Standards #3

Since the southern parcel has an existing 20 foot wide drive aisle along the east property line, staff has no objection to extending the drive aisle north to accommodate the new parking stalls. Reducing the drive aisle width along the east property line of the northern parcel will match what was previously approved via ZC 0204-13. Staff has no objection to this request.

Waiver of Development Standards #4

The applicant is requesting to reduce the height setback ratio of the proposed school building to 45 feet where 60 feet is required per code. Intense landscape buffers are proposed around the perimeter of the northern parcel (adjacent to single family residences); therefore, the height setback ratio would not apply. However, a portion of the east property line of the northern parcel is adjacent to an undeveloped parcel to the east. Due to spatial constraints of accommodating the new parking stalls and the drive aisle, it is understandable that an intense landscape buffer cannot be accommodated. Staff has no opposition to the reduction of the height setback ratio.

Design Review

The design of the proposed school building and the overall site design is harmonious with the existing office building and the surrounding neighborhood. The proposed school building upholds residential characteristics and is harmonious in scale and color palette. Staff is in support of this request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- No exterior PA System;
- Design Review as a public hearing for any significant changes to the approved plans;
- Design Review as a public hearing for future signage and lighting;
- Commercial uses to remain on both parcels, if APN 163-11-805-033 converts to a residential use the owner must legalize the boundary of the parcels through the Clark County Public Works – Survey Division parcel map process;
- Record perpetual cross access, ingress/egress with the parcel to the east, only if the uses are compatible;
- 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 and application for review; 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.
- Applicant is advised that patent easements may exist on the subject site that may interfere with development.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; that CCWRD requires existing and projected new student count that includes the usage of the new facilities being proposed by this zoning action in order to determine flow needed for Point of Connection (POC) capacity verification; that CCWRD requires submittal of civil improvement plans for review and approval by CCWRD; to find instructions for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: MOJAVE EDUCATIONAL FOUNDATION

CONTACT: MOJAVE EDUCATIONAL FOUNDATION, 6710 COLEY AVENUE, LAS VEGAS, NV 89146

DRAFT

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05/07/19 PC AGENDA SHEET

RESTAURANT
(TITLE 30)

SUNSET RD/HAUCK ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-19-0191-DECATUR SUNSET N W R L T O J L #7, LLC:

ZONE CHANGE to reclassify 2.5 acres from R-E (Rural Estates Residential) (AE-60 & AE-65) Zone to C-2 (General Commercial) (AE-60 & AE-65) Zone.

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

DESIGN REVIEW for 2 restaurants with drive-thru facilities in the CMA Design Overlay District.

Generally located on the north side of Sunset Road and the east side of Hauck Street within Spring Valley (description on file). MN/pb/ja (For possible action)

RELATED INFORMATION:

APN:
163-36-801-028

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the departure distance from the driveway to the intersection to zero feet where 190 feet is required along Hauck Street per Uniform Standard Drawing 222.1 (a 100% reduction).
2. Reduce throat depth for the southern driveway along Hauck Street to 10 feet where 25 feet is the standard per Uniform Standard Drawing 222.1 (a 60% reduction).

LAND USE PLAN:
SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.5
- Project Type: 2 restaurants with drive-thru facilities
- Number of Stories: 1
- Building Height (feet): 18 to 25
- Square Feet: 4,330 (Building 1)/2,655 (Building 2)/6,985 (total)
- Parking Required/Provided: 70/70

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Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting on March 4, 2019 as required by the nonconforming zone boundary amendment process, prior to the formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. No neighbors attended. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a nonconforming zone boundary amendment.

Site Plans

The plans depict a 4,330 square foot restaurant (Building 1) located on the eastern portion of the site and a 2,655 square foot restaurant (Building 2) located on the western portion of the site. Both buildings have drive-thru aisles on the north and west sides of the buildings with parking spaces on the east and south sides of both buildings. The site has access to Hauck Street via 2 driveways and access to Sunset Road and Decatur Boulevard via a shared access with the adjacent parcel to the east. The departure distance for the southern driveway on Hauck Street is zero feet from Sunset Road to the south. The throat depth for the southern driveway on Hauck Street does not meet Code requirements.

Landscaping

A 20 foot wide landscape area with a detached sidewalk is located along Sunset Road and a 10 foot wide landscape area adjacent to an attached sidewalk is located along Hauck Street. A 5 foot wide landscape area is located along the north and east property lines and a 10 foot wide landscape area is located along the western side of the drive-thru aisle for Building 1. Interior parking lot trees are distributed throughout the site and additional landscaping is located adjacent to the buildings. Landscape materials include trees, shrubs, and groundcover.

Elevations

Building 1 is a single story building ranging in height from 18 feet to 25 feet. The façade consists of a flat roof with parapet walls and architectural features, stucco finish and stone veneer for a Taco Bell. Building 2 is 18 feet high with a flat roof and parapet walls and will have a similar façade.

Floor Plans

Both buildings are restaurants with drive-thru facilities consisting of a kitchen, dining area, storage areas, offices, restrooms, and other accessory uses.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the adjacent parcel to the east and all 4 corners of the intersection of Sunset Road and Decatur Boulevard are in a C-2 zone so the requested zoning and uses are compatible with the existing and approved uses in the area. Public facilities and services should not be negatively impacted by the proposed development. The applicant also indicates the design of the project will conform to several policies in the Comprehensive Master Plan. The waiver of development standards to reduce the departure distance is mitigated by Hauck Street terminating in a cul-de-sac immediately to the north.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	M-1	Freight terminal
South	Business and Design/Research Park	M-D	Undeveloped
East	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	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

Zone Change

The applicant shall provide Compelling Justification that approval of the nonconforming zoning boundary amendment is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below:

1. *A change in law, policies, trends, or facts after the adoption, re-adoption or amendment of the land use plan that have substantially changed the character or condition of the area, or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

The Spring Valley Land Use Plan was amended in September 2014 and the adjacent parcels were already in the C-2 zone so there have been no changes in the character or condition of the area surrounding the site. However, the Urban Land Use Policies were adopted in April 2015 and staff finds this request and the surrounding development conform to several policies dealing with commercial development providing access to arterial and collector streets, cross access, and compatibility.

2. *The density and intensity of the uses allowed by the nonconforming zoning is compatible with the existing and planned land uses in the surrounding area.*

The proposed zoning and use of the property is compatible with the adjacent parcel to the east which has been approved for a convenience store and gasoline service station. Furthermore, all 4 corners of the intersection of Sunset Road and Decatur Boulevard are zoned C-2, creating a commercial node exceeding 10 acres. Therefore, staff finds the requested zoning and intensity of the proposed developments are compatible with the existing, approved, and planned land uses in the area.

3. *There will not be a substantial adverse effect on public facilities and services, such as roads, access, schools, parks, fire and police facilities, and stormwater and drainage facilities, as a result of the uses allowed by the nonconforming zoning.*

Staff accepts the assertion made by the applicant regarding the proposed commercial development and existing infrastructure that serves the surrounding land uses. There has been no indication from public service providers that the proposed development will have an adverse effect on public facilities and services.

4. The proposed nonconforming zoning conforms to other applicable adopted plans, goals, and policies.

The zoning, intensity of use, and design of the site are compatible with the area and includes access to the adjacent parcel to the east and is in conformance with Goal 1 of the Clark County Comprehensive Master Plan to promote economic viability and employment opportunities with development that is compatible with adjacent land uses, the natural environment, and is well integrated with appropriate circulation systems, services, and facilities. The request also conforms to Urban Specific Policy 7 that states land uses that are complementary and are of similar scale and intensity should provide appropriate connectivity, and not be segregated. The request also conforms to Urban Specific Policies 10 and 67 which encourage site designs to be, in part, compatible with adjacent land uses and off-site circulation patterns.

Summary

Zone Change

Based on the analysis above, staff finds that the applicant has demonstrated a change in law, policies, trends, or facts to justify reclassifying this site to a C-2 zoning district. The intensity of the project is compatible with the development in the area and complies with other applicable plans, goals, and policies. Therefore, staff finds that the applicant has provided a compelling justification to warrant reclassification of the site to a C-2 zone.

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

The proposed development is designed to comply with Title 30 standards. The request also complies with Urban Specific Policy 79 of the Comprehensive Master Plan which, in part, encourages commercial developments to use visually articulated elements including, but not limited to, decorative fascia or parapets, pilasters or columns, or other design elements utilizing harmonious volumes, spaces and materials. There are landscape buffers separating the drive-thru facilities and stacking lanes from drive aisles and public streets in accordance with Urban Specific Policy 21 that encourages drive-thru facilities and stacking lanes, when contiguous to any public right-of-way, residential use, or pedestrian gathering area to be obscured from view by an intense landscape buffer. Additionally, this site meets the intent of Urban Specific Policy 65 which encourages commercial development designs that will provide opportunities for cross access with adjoining sites to reduce or limit points of ingress and egress on arterial or collector

streets and Urban Specific Policy 66 that states commercial development should provide access points on arterial and collectors and not on local neighborhood streets. Staff finds the design is appropriate for a commercial center and can support the design review. However, it should be noted that approval of the site layout with driveways and drive aisles are contingent upon approval of the waivers of development standards.

Public Works - Development Review

Waivers of Development Standards

Staff finds that the request for the southernmost driveway on Hauck Street is a self-imposed hardship that will create an unsafe situation. The site has access directly to Hauck Street from the northernmost driveway and, through cross access, access to both Decatur Boulevard and Sunset Road are provided. Since staff cannot support the location of the driveway, the reduction in throat depth at that same driveway is also problematic. Staff finds that the combination of the reduced throat depth and the lack of separation from the intersection results in a driveway that cannot be supported.

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.

A portion of the property lies within the AE-65 (65 - 70 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 Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval of the zone change; and denial of the waivers of development standards and design review. This item will be forwarded to the Board of County Commissioners' meeting for final action on June 5, 2019 at 9:00 a.m., unless otherwise announced.

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:

- Resolution of Intent to complete in 3 years;
- 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 the waivers of development standards and design review must commence within 2 years of approval date or they will expire.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 55 feet to 60 feet to the back of curb for Sunset Road, 30 feet, including the portion of the cul-de-sac, for Hauck Street, and the associated spandrel.
- Applicant is advised that driveway width is measured from the lip of gutter to the lip of gutter; and that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

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;
- Incorporate exterior to interior noise level reduction into the building construction as required by Code for use.
- 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; that separate airspace determinations will be needed for construction cranes or other temporary equipment; that the FAA 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 owners wish to have their buildings purchased or soundproofed.

Building Department - Fire Prevention

- No comment.

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 #0040-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DECATUR-SUNSET (NW) RLTO-JL#7, LLC

CONTACT: LINDSAY BROWN, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT

05/07/19 PC AGENDA SHEET

RESTAURANT WITH DRIVE-THRU
(TITLE 30)

RAINBOW BLVD/SOBB AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0226-NEEDHAM, HOWARD J. & CHRISTINE S.:

USE PERMIT to eliminate the pedestrian access around the outside dining/drinking area.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) increase height of a freestanding sign; 2) permit neon signage; 3) exceed luminance values beyond the property containing the light source; 4) reduce driveway approach and departure distances from the intersection; and 5) modified driveway design standards.

DESIGN REVIEWS for the following: 1) fast food restaurant with drive-thru; and 2) alternative parking lot landscaping on 2.2 acres in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the west side of Rainbow Boulevard and the south side of Sobb Avenue within Spring Valley. MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:

163-34-701-016.

USE PERMIT:

Eliminate the required 48 inch wide pedestrian access around the perimeter of the outside dining/drinking area.

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the height of a freestanding sign to 35 feet where 20 feet is allowed in the CMA Design Overlay District per Section 30.48.680 (a 75% increase).
2. Permit neon signage where only accent neon lighting is allowed, which shall not exceed a total linear amount of 25% of sign area in the CMA Design Overlay District per Section 40.48.680.
3. Exceed luminance of 1.0 foot-candles beyond the property containing the light source if contiguous to a non-residential use in the CMA Design Overlay District per Section 40.48.670.
4.
 - a. Reduce the approach distance from a driveway to a street intersection (Uniform Standard Drawing 222.1) to 123 feet along Sobb Avenue where 150 feet is the minimum per Chapter 30.52 (an 18% reduction).
 - b. Reduce the departure distance from a street intersection to a driveway (Uniform Standard Drawing 222.1) to 154 feet along Rainbow Boulevard where 190 feet is the minimum per Chapter 30.52 (a 19% reduction).

5. a. Allow a zero foot commercial driveway throat depth along Rainbow Boulevard where a 25 foot commercial driveway throat depth is required per Uniform Standard Drawing 222.1 (a 100% reduction).
- b. Allow an 8.5 foot commercial driveway throat depth along Sobb Avenue where a 25 foot commercial driveway throat depth is required per Uniform Standard Drawing 222.1 (a 66% reduction).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:
Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.2
- Project Type: Fast food restaurant with drive-thru
- Number of Stories: 1
- Building Height (feet): Up to 29
- Square Feet: 4,122
- Parking Required/Provided: 47/92

Site Plans

This is a request for a 1 story, 4,122 square foot fast food restaurant (The Hat) with outside dining and a drive-thru. The building is located near the northeast portion of the site with parking shown on the west and south sides of the building. The drive-thru aisle is located on the south, east, and north sides of the building and the traffic will circulate around the building. The outside dining patio area is approximately 1,230 square feet and does not have access along the north, west, or east sides; however, there is ingress/egress through the sidewalk adjacent to the front entrance of the building. The outside dining patio does not have the 48 inch pedestrian access requirement per Code. The proposed building is set back 30 feet from Rainbow Boulevard, 44 feet from Sobb Avenue, 172 feet from the west property line, and 176 feet from the south property line. Access to the site is shown from 2 driveways on Rainbow Boulevard and Sobb Avenue. The request also includes a signage and lighting package in conjunction with the restaurant. The applicant is requesting to have 1 freestanding sign along Rainbow Boulevard, wall signage, and directional signage.

Signage

This request is for the entire site and depicts the location, height, square footage, and material being used. The sign types within this submittal package consist of a freestanding sign, wall signs, and directional signs. The freestanding sign is located on Rainbow Boulevard and will be 35 feet in height with an approximate sign area of 288 square feet and will consist of an internally illuminated cabinet. The wall signage is shown on all elevations. The total wall sign area is less than what is allowed by code. All wall signs will consist of exposed neon letters. The directional signs are shown throughout the site and at driveway entrances and exists. All of the proposed signs have design elements that are compatible with the restaurant building.

Lighting

The submitted plans depict the type of lighting, approximate heights of lighting, and a photometric plan. Along the entire perimeter of the site the photometric plan indicates light spill that will exceed 1.0 foot-candle onto adjacent properties or rights-of-way. The plans depict 2 different types of lighting fixtures with the following: 1) parking lot light poles; and 2) building mounted lights. The parking lot light poles are up to 18 feet in height. All exterior site lighting fixtures are similar in terms of design, materials, finish, color, and color of light. All lighting will be down-lit and incorporate shielded cut-off luminaries.

Landscaping

The plans depict a 15 foot wide landscape area with a detached sidewalk on Rainbow Boulevard and a 10 to 20 foot wide landscape area with an attached sidewalk along Cobb Avenue. Interior to the site, landscaping is distributed throughout the parking lot and around portions of the building footprint. At the southwest corner of the site there is one area in the parking lot that will have 7 parking spaces without a landscape finger which requires the design review for alternative parking lot landscaping. The landscape materials include large trees, shrubs, and groundcover.

Elevations

The plans depict a 29 foot high building with a standard facade for a fast food restaurant. The majority of the roof line is shown at 18 feet. The building materials consist of stucco sand finished walls, checkerboard wainscoting accents, aluminum store front windows and doors, metal awnings, and a parapet roof.

Floor Plans

The plans show a 4,122 square foot restaurant with a seating area, kitchen, storage areas, office, and restrooms.

Applicant's Justification

According to the applicant this project is ideal as it will serve the commercial needs of the area and will be an architecturally pleasing development. The design of the neon wall signage is a trademark for "The Hat" restaurant throughout the United States and should not impact the surrounding commercial and light industrial developments. The 35 foot high freestanding sign is similar to existing sign heights in the area; and even though along the perimeter of the site, light spill will exceed 1.0 foot-candle onto adjacent properties or rights-of-way, there should be no impact to the neighborhood since there is no residential development in the immediate area. Furthermore, according to the applicant, the throat depth reductions are justified at all the entrances because traffic entering the site will have the opportunity to disperse down drive aisles that lead to parking areas; thus, relieving traffic congestion at the driveway entrances.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-1208-97	Reclassified this site to C-1 zoning for a shopping center	Approved by BCC	September 1997

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Office complex
South	Commercial Neighborhood	C-1	Commercial center
East	Commercial General	C-2	Commercial center
West	Business Design and Research Park	M-D	Distribution building

Related Applications

Application Number	Request
VS-19-0227	A vacation and abandonment of 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

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.

Staff finds that the requirement of the 48 inch wide pedestrian access around the perimeter of an outside dining/drinking area is an important safety feature that provides separation between pedestrian and vehicular activity. In fact, along the north and west sides of the outside dining area, increased traffic will occur from the drive-thru lane and the main driveway on to Sobb Avenue. Therefore, staff cannot support the request to eliminate the pedestrian access.

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.

Waivers of Development Standards #1 & #2

The signs are compatible with the proposed commercial development; however, the signs do not meet the standards for height and the type of lighting (exposed neon). Staff does not support the waivers of development standards for sign height and neon in the CMA without mitigating circumstances. In the CMA, the intent is to limit the height of signs to be consistent with a 1

story building, discourage signs which contribute to visual clutter of the streetscape, and ensure the signage enhances the overall development and the immediate area.

Waiver of Development Standards #3

Although the illumination value for the project's lighting spills onto the public streets and adjacent properties, the lights are positioned in these locations for vehicle and pedestrian safety. Additionally, the site is bounded by public rights-of-way to the north and east, and is bounded by commercial and light industrial development to the south and west; therefore, staff does not anticipate any adverse impact to the surrounding area.

Public Works - Development Review

Waiver of Development Standards #4a

Staff has no objection to the driveway location on Sobb Avenue. The applicant was directed to have the proposed driveway line up with the driveway to the north, which has been accomplished.

Waiver of Development Standards #4b

Staff finds the driveway location on Rainbow Boulevard to be appropriate. Traffic engineering staff reviewed the site and determined that the proposed location will be acceptable, considering that 2 driveways exist on the east side of Rainbow Boulevard.

Waiver of Development Standards #5a

Staff finds the request to eliminate the throat depth on Rainbow Boulevard to be a self-imposed hardship that cannot be justified. Rainbow Boulevard is a 120-foot wide major arterial street and anything that may result in vehicular traffic stacking into the right-of-way needs to be avoided. If the site were designed without the drive aisle just south of the driveway the throat will well exceed the standards and provide greater safety for vehicular and pedestrian traffic.

Waiver of Development Standards #5b

Staff finds the driveway on Sobb Avenue can also be redesigned to permit a longer throat. The applicant has not provided valid reasons why the minimum standard cannot be met.

Design Reviews

The design of the building, with the variations in building height, complies with Urban Specific Policy 19 of the Comprehensive Master Plan, which encourages varying building heights and breaking up the mass of a building. The proposed landscaping also complies with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief. However, even though the parking lot landscaping will not have a landscape fingers at the southwest corner of the site; staff finds this to be minor in nature and has no issue with alternative parking lot landscape design. Therefore, staff supports the design review for the building and design layout of the project.

Staff Recommendation

Approval of waivers of development standard #3 and #4 and the design reviews; and denial of the use permit and waivers of development standards #1, #2, and #5.

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 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;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Sobb Avenue, additional right-of-way at the intersection of Sobb Avenue and Rainbow Boulevard, if necessary, to match the dedication to the north, and the associated spandrel on the northeast corner of the site.
- Applicant is advised that the installation of detached sidewalks will require 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.

Building Department - Fire Prevention

- No comment.

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 #0131-2019 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: C & J FOOD COMPANY

CONTACT: JOEY BLANCO, 2251 N. RAMPART BLVD #418, LAS VEGAS, NV 89128

DRAFT

05/07/19 PC AGENDA SHEET

COMMERCIAL RETAIL CENTER
(TITLE 30)

SUNSET RD/DURANGO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-18-0972-S D P DEVELOPMENT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to reduce throat depth along Durango Drive.
DESIGN REVIEW for a retail center on 3.9 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts.

Generally located on the west side of Durango Drive and the north side of Sunset Road within Spring Valley. JJ/sd/ja (For possible action)

RELATED INFORMATION:

APN:
163-32-801-022

WAIVER OF DEVELOPMENT STANDARDS:
Reduce driveway throat depth to 18 feet along Durango Drive where a minimum of 75 feet is required per Uniform Standard Drawing 222.1.

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 3.9
- Project Type: Commercial retail center
- Number of Stories: 1
- Building Height: 24 feet, 4 inches
- Square Feet: 24,600
- Parking Required/Provided: 167 required/202 proposed

Site Plans

The plans submitted show a proposed retail center on an undeveloped parcel. The project will consist of 2 retail buildings and 4 restaurant buildings. Access to the site is provided along Durango Drive by 2 driveway access points measured at 35 feet in width. Cross access is being proposed in conjunction with a future proposed retail center to the west via 3 driveways. The

proposed buildings will consist of 2 retail building at a total of 14,400 square feet and 4 restaurants buildings at a total of 10,200 square feet with proposed drive-thru lanes. The plans show outside dining for both the restaurant buildings and retail buildings. Pedestrian walkways are shown interconnecting between buildings and from the street, along with 5 foot wide sidewalks around buildings. Bicycle parking is also shown on the plans per Code.

Landscaping

Landscaping along Sunset Road is provided with a 15 foot wide landscape area and along Durango Drive with a 15 foot wide landscape area. The plans show 5 foot detached sidewalks along both street frontages. The total number of trees include 23 Modesto Ash, 35 Desert Palo Verde, 25 Mondell Pine and 24 Canary Island Date Palm, all in 24 inch box. Various shrubs and ground cover will be provided. In addition, the applicant is providing for intense landscaping adjacent to a proposed drive-thru for Building F along Durango Drive and along the north property line. The applicant is requesting an alternative parking lot landscape plan of having no landscape island fingers along the perimeter of the parking lot.

Elevations

The proposed buildings are 1 story with maximum heights between 22 and 24 feet. Building A has a total height of 22 feet with a straight roofline with architectural elements. Buildings B and C have a total height of 24 feet with straight rooflines, parapet walls and architectural elements. Buildings D and E have a total height of 24 feet with straight rooflines with parapet walls and architectural features. Building F will have a total height of 22 feet with straight roofline with parapet walls and architectural features. Each building will have exterior features that include Fibercon wood cladding with dual clear glazing with aluminum frames and stone accent and light sand finish colors.

Floor Plans

The plans submitted show a total building area of retail space of 14,400 square feet and restaurant space at a total of 10,200 square feet. All the floor plans show internal open lease space with an electric room with roof access. The floor plans range in size between 2,500 square feet to 7,200 square feet of internal lease space.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant is requesting a waiver to reduce the throat depth along Durango Drive and a design review for an alternative parking lot landscaping plan. The applicant indicates the use and design of the project is compatible with the existing and proposed development in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-18-0633	Vacated and abandoned government patent easements	Approved by PC	October 2018

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0757-16	Vacated and abandoned government patent easements	Approved by PC	December 2016
TM-500155-16	Commercial subdivision	Approved by PC	December 2016
ZC-0193-06	Reclassified 5.2 acres from C-2 to U-V zoning	Approved by BCC	October 2006

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 to 32 du/ac)	R-4	Multi-family residential
South	Commercial Tourist	C-2	Wholesale/retail sales
East	Commercial General	C-2	Restaurant/service station
West	Commercial General	C-2	Undeveloped

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.

Design Review

The plans depict a retail commercial development that is compliant with the land use plan regarding the design of the project being compatible with the existing and proposed zoning and development in the area. The proposed design and layout complies with site design and orientation for retail commercial development within the CMA (Cooperative Management Agreement) Design Overlay District, whereby retail commercial developments shall orient buildings closer to perimeter streets or street frontage (freestanding pad sites) in order to screen parking in the interior of the site and parking lot and for visual enhancements. Staff recommends approval.

Public Works - Development Review

Waiver of Development Standards

The applicant has been working with staff on site design changes to allow for better vehicular flow on Durango Drive. Staff can support the reduced throat depth for the driveways on

Durango Drive since the northern driveway has a significant throat on the north side and the southern driveway is restricted to right in/right out only.

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;
- Traffic study and compliance;
- Full off-site improvements;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards.
- Applicant is advised that the installation of detached sidewalks will require 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.

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 #0728-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: J.A. KENNEDY DEVELOPMENT COMPANY
CONTACT: JT MORAN, MORAN LAW FIRM, 630 SOUTH 4TH STREET, LAS VEGAS, NV 89101

05/07/19 PC AGENDA SHEET

SECURITY WALL/FENCE
(TITLE 30)

FLAMINGO RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-19-0195-FORT APACHE STORAGE DEPOT, LLC:

WAIVER OF DEVELOPMENT STANDARDS to allow an existing security wall/fence with razor wire.

DESIGN REVIEW for an existing security wall/fence in conjunction with an existing mini-warehouse facility on 2.9 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District.

Generally located on the south side of Flamingo Road and approximately 300 feet east of Fort Apache Road within Spring Valley. MN/sd/ja (For possible action)

RELATED INFORMATION:

APN:

163-20-101-035

WAIVER OF DEVELOPMENT STANDARDS:

Allow an existing security wall/fence with razor wire in the C-2 zone where only permitted in conjunction with industrial and special developments per Table 30.64-2.

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9345 W. Fort Apache Road
- Site Acreage: 2.9
- Project Type: Security wall/fence

Site Plans

The applicant currently operates a mini-warehouse facility on this site. The plans depict 5 existing buildings that make up the mini-warehouse facility with individual drive lanes between the buildings. The property is currently adjacent to other commercial properties on both the east and west sides and across from an existing single family residential development along Nevso Drive to the south. There is an existing 6 foot high block wall that surrounds the property. Access to the site is from Flamingo Road. The applicant is requesting to add a security wall/fence along portions of the property. The applicant had already started to add razor wire

atop the existing walls along the west and east property lines and to a portion along Nevso Drive without a permit. The applicant has been cited by Clark County Public Response Office for a zoning violation.

Landscaping

Landscaping is not required or proposed as part of this application. There is an existing landscape strip to the south, but contains minimal plant materials.

Applicant's Justification

The applicant states that the mini-warehouse facility has been a target of crime for the past couple of years, including burglary, drug paraphernalia, trash, graffiti and vandalism that have caused damage to the units. In addition, the applicant has said there is a growing presence of homeless people living in units, which is against Nevada Civil Code, all of which creates an unsafe environment to patrons who are renting units for storage. Since installation of razor wire along portions of the property, there has been a reduction of these incidents. The applicant states that access to the property is east from the west property line due to a difference in elevation of the land with the wall only being 4 feet in height along this section.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-1906-04	Waived standards to increase sign area for freestanding sign	Approved by PC	December 2004
VS-1834-99	Vacated and abandoned government patent easements	Approved by PC	February 2000
DR-1188-99	80,000 square foot mini-warehouse	Approved by PC	September 1999
ZC-0418-99	Reclassified 50 acres from R-E to C-2 zone with a use permit for a mini-warehouse facility with managers unit and self-service car wash; variances to permit recreational vehicles storage and increased wall height	Approved by BCC	June 1999

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Neighborhood shopping center
South	Residential Suburban (8 du/ac)	R-2	Single family residences
East	Commercial Neighborhood	C-1	Recreational facility
West	Commercial General	C-2	Neighborhood shopping center

Clark County Public Response Office (CCPRO)

Case # CE19-01645 was filed by the Clark County Public Response Office for zoning violation of a security wall/fence in the C-2 zone and is an active case.

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 & Design Review

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.

Staff cannot support allowing a security wall/fence with razor wire adjacent to residential uses and within a C-2 zone. Staff finds that the existing razor wire adversely impacts the adjacent residential uses. The use of razor wire is not aesthetically or visually pleasing and results in an industrial look and character for the immediate neighborhood. In addition, staff finds that there are other aesthetically pleasing measures to provide security to the site, including increasing the wall height with wrought iron on top and/or planting of landscaping, which may deter people from climbing, such as cacti, where possible. The request does not comply with Urban Specific Policy 10 of the Comprehensive Master Plan, which encourages site designs to be compatible with adjacent uses.

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:

- 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.

Building Department - Fire Prevention

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.

- Applicant is advised to show on-site fire lane, turning radius, and turnarounds; and to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: PAUL PEPPARD

CONTACT: PAUL PEPPARD, P.O. BOX 370730, LAS VEGAS, NV 89137

DRAFT

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05/08/19 BCC AGENDA SHEET

INCREASE FINISHED GRADE
(TITLE 30)

JONES BLVD/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-19-0208-DOUMANI DOMINIQUE FAMILY TRUST & DOUMANI DOMINIQUE TRS:

DESIGN REVIEW for increased finished grade in conjunction with an approved convenience store, gasoline station, and carwash on a 1.8 acre parcel in a C-1 (Local Business) (AH-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Jones Boulevard and the south side of Russell Road within Spring Valley. MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:

163-36-101-013

DESIGN REVIEW:

Increase the finished grade up to 30 inches where 18 inches is the standard (a 67% increase).

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.8
- Project Type: Increase finished grade

History

A previously approved use permit for a convenience store, gasoline station, and carwash was granted on this site in 2017. That application (UC-0651-17) addressed the design and layout of the commercial center and this request will address the increase in finished grade.

Site Plans

This application is to review the grade difference along the east and southeast boundaries of the site. The increased grade will be up to approximately 2.5 feet along portions of this site.

Applicant's Justification

The applicant indicates that the request to increase the grade is needed because of the slope of the property and constraints of the area due to existing fixed improvements surrounding the site.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0651-17	Convenience store, gasoline station and carwash with waivers for roofline variation; vivid colors, and off-site improvement standards, and numerous waivers of conditions of a zone change were waived as part of this application	Approved by BCC	October 2017
ZC-1366-07	Reclassified this site to C-1 zoning for a retail center, and waivers for reduced parking, reduced setback, landscaping and requirements of the CMA design standards	Approved by BCC	February 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 du/ac to 18 du/ac)	RND	Single family residences
South	Commercial Neighborhood	R-E	Undeveloped
East	Commercial Neighborhood	R-E	Undeveloped
West	Commercial Neighborhood	C-1	Undeveloped

Related Applications

Application Number	Request
TM-19-500069	A tentative map for a 1 lot commercial subdivision is a companion item on this agenda.

STANDARDS FOR APPROVAL:

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

Analysis

Public Works - Development Review

This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approval.

Staff Recommendation
Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 4 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;
- Traffic study and compliance;
- Full off-site improvements;
- Jones Boulevard and Russell Road rights-of-way to be vacated or dedicated as necessary to accommodate dual left turn lanes on each street;
- If required by the Regional Transportation Commission (RTC), provide a combination right turn lane/bus turnout on the south side of Russell Road and include provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk.
- 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way, or the dedication of right-of-way to the 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.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: THE DOMINIQUE DOUMANI FAMILY TRUST

CONTACT: TED EGERTON, LOCHSA ENGINEERING, 6345 S. JONES BLVD, LAS VEGAS, NV 89118

JONES AND RUSSELL
(TITLE 30)

JONES BLVD/RUSSELL RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

TM-19-500069-DOUMANI DOMINIQUE FAMILY TRUST & DOUMANI DOMINIQUE TRS:

TENTATIVE MAP for a commercial subdivision on a 1.8 acre parcel in a C-1 (Local Business) (AE-60) Zone in the CMA Design Overlay District.

Generally located on the east side of Jones Boulevard and the south side of Russell Road within Spring Valley. MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:

163-36-101-013

LAND USE PLAN:

SPRING VALLEY - COMMERCIAL NEIGHBORHOOD

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.8
- Project Type: Commercial subdivision

The plan depicts a 1 lot commercial subdivision on a 1.8 acre site which was previously approved for a retail center. Access to the site is from driveways on Jones Boulevard and Russell Road. Off-site improvements exist along Russell Road and partial off-sites exist on Jones Boulevard.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0651-17	Convenience store, gasoline station and carwash with waivers for roofline variation; vivid colors, and off-site improvement standards, and numerous waivers of conditions of a zone change were waived as part of this application	Approved by BCC	October 2017
ZC-1366-07	Reclassified this site to C-1 zoning for a retail center, and waivers for reduced parking, reduced setback, landscaping and requirements of the CMA design standards	Approved by BCC	February 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential High (8 du/ac to 18 du/ac)	RUD	Single family residences
South	Commercial Neighborhood	R-E	Undeveloped
East	Commercial Neighborhood	R-E	Undeveloped
West	Commercial Neighborhood	C-1	Undeveloped

Related Applications

Application Number	Request
DR-19-0208	A design review to increase 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

Current Planning

This request meets the tentative map requirements as outlined in Title 30.

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, 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years 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;
- Traffic study and compliance;
- Full off-site improvements;
- Jones Boulevard and Russell Road rights-of-way to be vacated or dedicated as necessary to accommodate dual left turn lanes on each street;

- If required by the Regional Transportation Commission (RTC), provide a combination right turn lane/bus turnout on the south side of Russell Road and include provisions for a 5 foot by 25 foot bus shelter pad easement behind the sidewalk.
- 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; and that the installation of detached sidewalks will require the vacation of excess right-of-way, or the dedication of right-of-way to the 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that CCWRD is unable to verify sewer capacity based on this zoning application; to find instruction for submitting a Point of Connection (POC) request on the CCWRD website; and that a CCWRD approved POC must be included when submitting civil improvement plans.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DOMINIQUE DOUMANI FAMILY TRUST

CONTACT: JOHN MAREK, LOCHSA ENGINEERING, 6345 S. JONES BLVD, LAS VEGAS, NV 89118

05/08/19 BCC AGENDA SHEET

RECREATIONAL FACILITY (INDOOR SKYDIVING)
(TITLE 30)

BUFFALO DR/ROY HORN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-19-0216-FLY VEGAS HOLDINGS, LLC:

USE PERMIT to allow a recreational facility (indoor skydiving).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increase the building height; **2)** reduce the departure distance; and **3)** reduce the throat depth.

DESIGN REVIEW for a recreational facility (indoor skydiving) establishment on a portion of 1.7 acres in a C-2 (General Commercial) (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the south side of Roy Horn Way, 390 feet east of Buffalo Drive within Spring Valley. MN/jor/ja (For possible action)

RELATED INFORMATION:

APN:

176-03-201-003 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Increase the building height to 60 feet where 50 feet is the maximum per Table 30.40-4 (a 16% increase).
2. Reduce the departure distance to 3 feet where 190 feet is the standard per Uniform Standard Drawing 222.1 (a 98% reduction).
3. Reduce the throat depth of the proposed driveways to 14 feet where 25 feet is required per Uniform Standard Drawing 222.1 (a 44% reduction).

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Acreage: 1.7 (portion)
- Project Type: Recreational facility (indoor skydiving)
- Number of Stories: 2 (with basement and mezzanine)
- Building Height (feet): 60 (proposed facility)
- Square Feet: 11,066 (proposed facility)
- Parking Required/Provided: 44/45

Site Plan

The site plan depicts a proposed recreational facility (indoor skydiving) centrally located on a portion of a 1.7 acre lot. The applicant's site plan proposes a public street which connects from Roy Horn Way and ventures south to terminate into a Clark County approved turn-around; therefore, the proposed access to the site is from 2 driveways along the east property line. In addition, the proposed parking stalls are located along the south and east property lines and the main entrance to the indoor skydiving facility faces east towards the parking stalls. The facility is set back 20 feet from the north property line, 157 feet from the west property line, 75 feet from the south property line, and 87 feet from the east property line. The applicant is also proposing future cross access points on the southwest corner of the subject property.

Landscaping

The landscape plan depicts a 15 foot wide landscape planter along the north and east property lines. The plans show rock mulch, groundcover, and a variety of trees within the landscape areas including the landscape finger islands.

Elevations

The ground level rectangular building shell and the exterior walls feature multiple hues of tan and brown stucco creating a curved pattern design on the wall. This portion of the facility has a maximum height of 25 feet to the top of the parapet roof. The exterior embellishment of the facility starts on the north and south sides of the building which features exaggerated rectangular columns. The columns taper at the top and supports a parapet roof in a canopy-like formation spanning across the facility with a high roofline variation and overall width of 123 feet. The center of the building elevation features the skydiving wind tunnel, projecting to the top of the highest roofline. Per the submitted elevation plans, the overall height of the facility is 60 feet.

Floor Plans

The floor plans depict a basement level which gives employees access to the bottom of the wind tunnel for maintenance purposes. The main floor features the main lobby, a dressing area, a retail area for merchandise, seating and observation area, offices, conference rooms, a classroom, restrooms, and a breakroom. The second floor mezzanine features mechanical equipment for the employees to access. The wind tunnel is centrally located within the overall floor plan and employees can access the wind tunnel mid-way via a mid-level landing and a staircase leads to the parapet roof and the top of the wind tunnel.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the site is currently zoned C-2 (General Commercial) and the use will be an indoor skydiving facility with accessory commercial uses which includes a gift shop. The applicant's design of the building includes a building with varying rooflines, architectural pop-outs, complete landscaping, and proper on-site circulation.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0271-06	Communications facility consisting of an 80 foot high monopole with antenna rays and ground equipment – expired	Approved Administratively	May 2006
UC-0669-02	Off-premises sign in conjunction with an approved office building	Denied by BCC	February 2003
ADR-0525-02	Unmanned telecommunications facility in conjunction with remote lighting for freeway traffic – no longer on-site	Approved Administratively	June 2005
ZC-1660-01	Reclassified 1.7 acres from R-E to C-2 zoning for an office building	Approved by BCC	February 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	U-V	Currently undeveloped – approved for mixed use development
South & East	Business and Design/Research Park	C-2	Undeveloped
West	Business and Design/Research Park	C-2 & R-E	Undeveloped

Related Applications

Application Number	Request
WC-19-400037 (ZC-1660-01)	A waiver of conditions of a zone change for right-of-way requirements 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
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. Staff finds that the proposed use is a unique and positive addition to the surrounding area and the applicant is not providing an uncharacteristic use. The proposed recreational facility (indoor skydiving) should not pose any negative impacts to the surrounding community since the parcels adjacent to the subject property are undeveloped. Staff is in support of this 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.

Waiver of Development Standards #1

Increasing the height to 60 feet where 50 feet is the maximum per code is not an excessive request since the applicant needs the increased height to accommodate the wind tunnel that is approximately 55 feet in height. For service and maintenance purposes, the building design will accommodate the mass and scale of the wind tunnel; therefore, the increase in building height is justifiable. Staff is in support of this request.

Design Review

Staff finds the proposed design of the facility is aesthetically pleasing and features architectural features that are not uncommon to Clark County. Staff finds that the applicant proposed a viable site design and a building that compliments their business model. In addition, the applicant is also proposing 2 areas for future cross access on the southwest corner of the site. Since the site offers visual continuity and a harmonious design, staff is in support of this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff recognizes that the unique shape of the site constrains the design where waivers may be necessary to ensure an orderly development. With that said, staff finds that the site can operate with just the one driveway located on the southeastern side of the site. The driveway on the northeastern portion of the site is located around a sharp turn and as such vehicular conflicts may occur. Staff cannot support this waiver since the request for the northeastern driveway is too close to the intersection of Roy Horn Way and the unnamed right-of-way on the east side of the subject site.

Waiver of Development Standards #3

Staff has no objection to the reduced throat depth for the driveway on the southeastern portion of the site since the driveway is at the end of a cul-de-sac that serves only this development, with the potential for it to serve a development to the south and east in the future. Since staff cannot support the driveway location on the northeastern portion of the site, staff also cannot support the waiver for throat depth at that location.

Summary

In addition to the waivers listed above, the applicant has requested a waiver of conditions from a previous application to not have to dedicate the right-of-way on the south side of the site. Staff is in support of that request and therefore the applicant must apply for a vacation application to eliminate the existing half street right-of-way. Additionally, the unnamed street on the east side of the site was dedicated as an 80 foot wide street. This street is not on a grid alignment and is not on the Transportation Element. As such, staff finds that the street width should be reduced to

60 feet. With the vacation of the right-of-way on the south side of the site, the applicant will be required to vacate the east 20 feet of the 80 foot wide right-of-way.

Staff Recommendation

Approval of the use permit, waivers of development standards #1, #2 and #3 for the southeastern driveway, and the design review; and denial of waivers of development standards #2 and #3 for the northeastern driveway

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:

- Maximum height of the building to be 60 feet;
- 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;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include the portion of the cul-de-sac at the south end of the unnamed public street and the spandrel at the intersection of Roy Horn Way and the unnamed street;
- Applicant shall apply to vacate the right-of-way on the south side of the subject site and the east 20 feet of the right of way on the east side of the site.

Building Department - Fire Prevention

- No comment.

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 #0078-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: TRACY FORREST
CONTACT: TRACY FORREST, 221 CIRCLE DRIVE, MAITLAND, FL 32751

DRAFT

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05/08/19 BCC AGENDA SHEET

RECREATIONAL FACILITY (INDOOR SKYDIVING)
(TITLE 30)

BUFFALO DR/ROY HORN WY

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-19-400037 (ZC-1660-01)-FLY VEGAS HOLDINGS, LLC:

WAIVER OF CONDITIONS of a zone change for right-of-way dedication to include 30 feet for Pama Lane together with a knuckle at Tioga Way in conjunction with a proposed recreational facility (indoor skydiving) on a portion of 1.7 acres in a C-2 (General Commercial (AE-60) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the south side of Roy Horn Way, 390 feet east of Buffalo Drive within Spring Valley. MN/jor/ja (For possible action)

RELATED INFORMATION:

APN:

176-03-201-003 ptn

LAND USE PLAN:

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Acreage: 1.7 (portion)
- Project Type: Recreational facility (indoor skydiving)
- Number of Stories: 2 (with basement and mezzanine)
- Building Height (feet): 60 (proposed facility)
- Square Feet: 11,066 (proposed facility)
- Parking Required/Provided: 44/45

Site Plan & History

The site plan depicts a proposed recreational facility (indoor skydiving) centrally located on a portion of a 1.7 acre lot. The previously approved zone change (ZC-1660-01) conditioned the site to right-of-way dedication to include 30 feet for Pama Lane together with a knuckle at Tioga Way. The applicant is proposing to vacate the existing right-of-way adjacent to the east and south property lines. The applicant's site plan proposes a public street which connects from Roy Horn Way and ventures south to terminate into a Clark County approved turn-around; therefore, the proposed access to the site is from 2 driveways along the east property line. In addition, the proposed parking stalls are located along the south and east property lines and the main entrance to the indoor skydiving facility faces east towards the parking stalls. The facility is set back 20

feet from the north property line, 157 feet from the west property line, 75 feet from the south property line, and 87 feet from the east property line. The applicant is also proposing future cross access points on the southwest corner of the subject property.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-1660-01:

Subject to no resolution of intent and staff preparing an ordinance to adopt the zoning; right-of-way dedication to include 30 feet for Pama Lane together with a knuckle at Tioga Way, and any additional dedication of a third travel lane along the frontage road to be approved by Clark County Public Works Design and Engineering; drainage study and compliance; full off-sites to include paved legal access to all entrances; if required by Regional Transportation Commission, dedicate and construct right-of-way for bus turnout and/or passenger loading/shelter areas in accordance with Regional Transportation Commission standards; all driveway entrances, locations, and widths to be approved by Clark County Traffic Management Division; and all applicable standard conditions for this application type.

Applicant's Justification

Per the applicant's submitted justification letter, the applicant was advised by Clark County Public Works that Pama Lane (adjacent to south property line) is no longer a planned roadway and Tioga Way can be designed to be a 60 foot wide public right-of-way with a cul-de-sac. The applicant is proposing to vacate what is currently dedicated.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-0271-06	Communications facility consisting of an 80 foot high monopole with antenna rays and ground equipment – expired	Approved Administratively	May 2006
UC-0669-02	Off-premises sign in conjunction with an approved office building	Denied by BCC	February 2003
ADR-0525-02	Unmanned telecommunications facility in conjunction with remote lighting for freeway traffic – no longer on-site	Approved Administratively	June 2005
ZC-1660-01	Reclassified 1.7 acres from R-E to C-2 zoning for an office building	Approved by BCC	February 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	U-V	Currently undeveloped – approved for mixed use development
South & East	Business and Design/Research Park	C-2	Undeveloped

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Business and Design/Research Park	C-2 & R-E	Undeveloped

Related Applications

Application Number	Request
UC-19-0216	A use permit to allow a recreational facility (indoor skydiving) 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 this request since the street on the south side of the property is not necessary to serve any parcels. Without the street on the south side of the site, there is no need for a knuckle and instead the applicant will be required to dedicate a portion of the cul-de-sac and spandrel for the street on the east side of the site. Staff also recommends that the unnamed street on the east side of the site be reduced to a 60 foot right-of-way instead of the 80 feet that is currently dedicated. If this request is approved, the applicant must submit an application to vacate 20 feet of right-of-way on the street to the east and all of the right-of-way on the street to the south.

Staff Recommendation Approval.

Approval of the waiver of conditions request constitutes a finding by the Commission/Board that the conditions 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**

- Right-of-way dedication to include the portion of the cul-de-sac at the south end of the unnamed public street and the spandrel at the intersection of Roy Horn Way and the unnamed street;
- Applicant shall apply to vacate the right-of-way on the south side of the subject site and the east 20 feet of the right-of-way on the east side of the site.

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 #0078-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: TRACY FORREST

CONTACT: TRACY FORREST, 221 CIRCLE DRIVE, MAITLAND, FL 32751

DRAFT

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05/08/19 BCC AGENDA SHEET

CROSS ACCESS
(TITLE 30)

RAFAEL RIVERA WY/GAGNIER BLVD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-19-0188-BLACKJACK LAND, LLC:

WAIVER OF DEVELOPMENT STANDARDS for cross access in conjunction with a proposed commercial building on 4.5 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts.

Generally located on the north side of Rafael Rivera Way and the west side of Gagnier Boulevard (alignment) within Spring Valley. MN/rk/ja (For possible action)

RELATED INFORMATION:

APN:
176-04-101-012

WAIVER OF DEVELOPMENT STANDARDS:
Waive the requirement for cross access and shared parking with the property to the west per Table 30.56-2.

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 4.5
- Project Type: Cross access in conjunction with a proposed commercial building

Site Plan

This site was recently approved for a two story, 75,000 square foot building located near the center of the property. The original plans also showed cross access to the adjacent undeveloped property to the west, which has a similar planned commercial use. The project will now have 2 driveways from Pitching Avenue and 1 driveway from Rafael Rivera Way.

Applicant's Justification

The applicant indicates they intended to provide a shared driveway with the undeveloped property to the west; however, after months of effort requesting cooperation from the neighboring property owner regarding a reciprocal access easement, that property owner has

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stated that they will not agree to any easements in the foreseeable future (see public file for correspondence). Without a reciprocal access easement, the applicant is forced to move forward with their development and substitute the driveway with an additional driveway onto Pitching Avenue.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-18-0562	Reclassified this site to C-2 zoning for a proposed commercial building, and waivers for modified CMA Design standards and reduced driveway throat depth	Approved by BCC	September 2018
NZC-0608-13	Reclassified this site to M-D zoning for an office/warehouse and distribution building - expired	Approved by BCC	December 2013

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Undeveloped
South*	Business and Design/Research Park	C-2	Undeveloped
East	Commercial General	C-2	Central Point commercial complex
West	Commercial General	C-2 & R-E	Developed office building & undeveloped property

*Directly to the south is the 215 Beltway.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The original plans depicted a shared driveway with the undeveloped property to the west (Sullivan Square, LLC); however, after months of effort by the property owner an agreement was not reached. Without a reciprocal access easement, the applicant is forced to apply for the waiver of development standards and move forward with their development, which staff can support.

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

- Compliance with approved drainage study;
- Compliance with approved traffic study;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Pitching Avenue, a portion of the knuckle at the intersection of Pitching Avenue and Gagner Boulevard, and additional right-of-way on Rafael Rivera Way to match the properties to the east and west.

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 #0470-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

APPLICANT: PANATTONI DEVELOPMENT COMPANY

CONTACT: MICHAEL ARGIER, PANATTONI DEVELOPMENT, 3773 HOWARD HUGHES PKWY, STE 140S, LAS VEGAS, NV 89169

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04/16/19 PC AGENDA SHEET

GASOLINE STATION
(TITLE 30)

SAHARA AVE/DURANGO DR.

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ET-19-400030 (DR-0096-17)-ORO SAHARA PRIME, LLC:

DESIGN REVIEW FIRST EXTENSION OF TIME to commence a gasoline station with canopy and sales kiosk on a portion of 0.7 acres in a C-2 (General Commercial) Zone in the MUD-3 Overlay District.

Generally located on the south side of Sahara Avenue, 350 feet east of Durango Drive within Spring Valley. JJ/sv/ja (For possible action)

RELATED INFORMATION:

APN:
163-09-115-007

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.7
- Project Type: Gasoline station with canopy and kiosk
- Number of Stories: 1
- Building Height (feet): 19 (canopy)/11 (payment kiosk)
- Square Feet: 180 (fuel sales kiosk)
- Parking Required/Provided: 293/425 (overall shopping center)

Site Plans

The plans submitted for DR-0096-17 depict a new gasoline station with canopy and payment kiosk structure on the north portion of the site. The proposed gasoline station will be situated between 2 main driveways on Sahara Avenue. The new canopy is set back 48 feet from the north property line which is the Sahara Avenue right-of-way. The existing parking will have a minor redesign to accommodate the gasoline station. Parking will still exceed Code requirements and is equitably distributed throughout the site. No other site design changes are proposed with this request.

Landscaping

Additional parking lot landscaping is provided to the east and south of the gasoline station.

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Elevations

The gasoline station canopy and cashier kiosk structure will include stone veneer on the column base and kiosk base with acrylic paneling for the canopy and stucco siding for the kiosk. The roofs are flat.

Floor Plans

The 180 square foot kiosk structure includes a cashier area and restroom.

Signage

Signage is not a part of this request.

Previous Conditions of Approval

Listed below are the approved conditions for DR-0096-17:

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

- Execute a License and Maintenance Agreement for non-standard improvements (landscape) within right-of-way.

Applicant's Justification

The applicant requests an extension of time on their design review due to delays in the building permit issuance, property issues, and improvement district approvals. To date, their fire permit was submitted and approved and building permits (BD-17-33164, 17-33156, and 17-3317) are pending final approval.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0795-17	Restaurant and drive-thru within an existing shopping center	Approved by PC	November 2017
DR-0096-17	Gasoline station with canopy and sales kiosk in a commercial zone	Approved by PC	March 2017
TM-0018-17	1 lot commercial subdivision	Approved by PC	March 2017
ZC-0616-00	Reclassified this portion of the site to C-2 zoning for the existing shopping center that was previously zoned C-1	Approved by BCC	June 2000

The existing shopping center has had various land use applications since 1996 for proposed uses within the commercial buildings.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	C-1	Commercial development
East	Commercial General	C-1	Shopping center
South	Commercial General	C-2	Shopping center
West	Commercial General	C-2	Shopping center with convenience store & gasoline station

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 on an extension of time application 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. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval. The applicant has submitted for building permits (BD-17-33164, 17-33156, and 17-3317) and has submitted for and obtained their fire permit. Since the applicant has made some progress towards the completion of the design review, staff can support the extension of time request.

Staff Recommendation

Approval.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until March 21, 2020 to commence;
- 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; 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

- Compliance with previous conditions.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: SMITHS FOOD AND DRUG CENTERS, INC

CONTACT: TROY WOLVERTON, ANDERSON WAHLEN & ASSOCIATES, 2010 NORTH REDWOOD ROAD, SALT LAKE CITY, UT 84116

DRAFT

04/16/19 PC AGENDA SHEET

RETAIL COMMERCIAL BUILDING
(TITLE 30)

UPDATE
LINDELL RD/SPRING MOUNTAIN RD

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

AMENDED HOLDOVER WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduced street landscape width; **2)** parking lot landscaping (no longer needed); **3)** waive minimum 5 foot wide sidewalk between buildings and pavement (no longer needed); **4)** reduced parking; **5)** reduce loading zone requirements (previously not notified); **6)** alternative driveway geometrics (previously not notified).

DESIGN REVIEWS for the following: **1)** proposed retail buildings; and **2)** façade changes, drive-thru lane, an addition to an existing building (no longer needed) 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 a small portion of Lindell Road to 7 feet adjacent to drive-thru land where a minimum of 15 feet is required per Figure 30.64-1 (a 53% reduction) (Spring Mountain Road is no longer needed).
2. Waive parking lot landscaping where landscaping per Figure 30.64-14 is required (no longer needed).
3. Waive the minimum 5 foot wide sidewalk between buildings and pavement where required per Section 30.60.050 (no longer needed).
4. Reduce parking spaces to 91 spaces (previously 84) where a minimum of 101 spaces are required per Table 30.60-1.
5.
 - a. Reduce driveway throat depth to 19 feet where 25 feet is required per Uniform Standard Drawing 222.1 (previously not notified).
 - b. Allow existing pan driveways to remain where curb return driveways are required per Uniform Standard Drawing 222.1 (previously not notified).
 - c. Allow a driveway width of 30 feet on Lindell Road where a minimum of 32 feet is required per Uniform Standard Drawing 222.1 (previously not notified).
 - d. Allow approach/departure distance of 121 feet on Spring Mountain Road where 150 feet is required Uniform Standard Drawing 222.1 (previously not notified).

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- e. Allow approach/departure distance of 140 feet on Lindell Road where 190 feet is required per Uniform Standard Drawing 222.1 (previously not notified).

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, façade changes, drive-thru, and an addition to an existing commercial building
- Number of Stories: 1
- Building Height (feet): 24 feet (existing building)/28 feet proposed buildings (37 feet including a decorative pole for proposed retail buildings)
- Square Feet: 3,990 (existing building)/7,500 (new Buildings 1 and 2)
- Parking Required/Provided: 88/91

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. **Five foot wide sidewalks are shown on all portions of the building as required by Code.** Bicycle parking is provided on-site.

A proposed drive thru lane with a call box and pickup window will be installed along Lindell Road, adjacent to a **landscaped area** on the west side of the existing building. The queuing lane is located on the north and west sides of the building. **Existing access to the property is provided by a driveway along Lindell Road and a driveway along Spring Mountain Road. A total of 91 parking spaces are provided. A proposed loading space will be located along the north exterior of proposed retail building 1, measuring 10 feet wide and 25 feet long.**

Landscaping

Existing street landscaping along Spring Mountain Road consists of a 10 foot wide landscape area adjacent to attached sidewalks, and a **new 15 foot wide landscape area along Spring Mountain Road in front of proposed retail building 1.** A 5.5 foot to 17 foot wide landscape area is proposed along the north property line per Figure 30.64-11. Street landscaping along Lindell Road consists of a proposed landscape buffer 7 feet wide minimum (**adjacent to the drive-thru**) to 15 foot wide behind an existing attached sidewalk **along the rest of Lindell Road. Landscape finger islands are provided internally for the parking lot for every 6 spaces per Code.**

Elevations

The plans depict an existing 24 foot high 1 story commercial retail building (Irene’s Cocktail Lounge). The proposed commercial retail buildings are measured at a height of **28 feet (37 feet with building light)**. **The buildings shown will have a cream and brown stucco façade with canvas awnings, and glass panels with architectural enhancement.** The roof line for the proposed and existing buildings will be a curved façade with glass panel parapets.

Floor Plans

The plans depict both an existing and proposed buildings with floor plans ranging from 3,990 square feet for the existing restaurant building and 7,500 square feet each for the proposed office and retail 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) the reduction of proposed street landscaping along Lindell Road is a result of the installation of a proposed drive-thru to the existing restaurant building; 2) the reduction of 1 loading zone is necessary in order to create additional parking; and 3) the waivers to alternative driveway geometrics for throat depth, curb return, driveway approach and departure and driveway width is a result of recent discussions with Public Works and the applicant feels this will have minimal impacts to the surrounding area.**

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-020-76	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

The request for reduced landscaping along a portion of Lindell Road is a result of the applicant adding a proposed drive-thru lane along the west side of the existing building, which will encroach into the required 15 foot wide landscape buffer. The applicant has eliminated an existing driveway entrance in the northwest portion of the parcel, per Public Works comments, and has provided a 15 foot landscaping strip along the remainder of Lindell Road. The proposed drive-thru, which will reduce the width of landscaping will have minimal impact to the surrounding area. Staff can support this waiver request.

Waivers of Development Standards #4 & #5

The applicant has also provided a shared parking analysis where the most parking demand is during the weekdays from 7:00 a.m. to 6:00 p.m. for a total of 88 spaces, and the applicant is providing for 91 spaces. Staff can support waiver of development standards #4.

Two loading spaces are required for this site based on the area of the proposed retail buildings and the existing restaurant. While the applicant has requested the waiver to reduce loading spaces in order to provide additional parking, staff is concerned that there will not be a loading area for the restaurant. Based on the shared parking analysis, the 3 additional spaces could be utilized for a loading area if properly designed. Staff cannot support waiver of development standards #5.

Design Reviews

Review of the plans show a drive-thru lane that will not interfere with on-site circulation nor with the driveway entrance from Lindell Road. The drive-thru was redesigned in order to reduce or eliminate automobile stacking off of Lindell Road per Public Works comments. The applicant has provided adequate perimeter landscaping, parking lot landscaping, and internal walkways and sidewalks connecting the buildings per Code. In addition, the proposed buildings meet setback requirements. Staff can support the proposed design reviews as submitted by the applicant.

Waiver of Development Standards #6

Public Works????

Staff Recommendation

Approval of waivers of development standards #1 and #4, and of the design reviews; and denial of waiver of development standards #5. Pending waiver #6

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; 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.

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.
- 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.

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 #0729-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS: 1 card

PROTESTS: 3 cards, 1 letter

PLANNING COMMISSION ACTION: February 5, 2019 - HELD - To 02/19/19 - per staff for the applicant to return to the Spring Valley Town Board.

PLANNING COMMISSION ACTION: February 19, 2019 - HELD - To 03/05/19 - per staff for the applicant to return to the Spring Valley Town Board.

PLANNING COMMISSION ACTION: March 5, 2019 - HELD - To 04/16/19 - per the applicant to return to the Spring Valley Town Board.

APPLICANT: ERNIE PODACA

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