

BUILDING ADDITION
(TITLE 30)

HOLLYWOOD BLVD/CHARLESTON BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-18-0677-USA & CLARK COUNTY LEASE:

DESIGN REVIEW for a proposed building addition (fitness room expansion) in conjunction with an existing public park (Hollywood Regional Park) on a portion of a 60.0 acre parcel in a P-F (Public Facility) Zone.

Generally located on the east side of Hollywood Boulevard, 1,400 feet south of Charleston Boulevard within Sunrise Manor. CG/mk/ml (For possible action)

RELATED INFORMATION:

APN:

161-02-201-004; 161-02-201-005

LAND USE PLAN:

SUNRISE MANOR - PUBLIC FACILITIES

BACKGROUND:

Project Description

General Summary

- Site Address: 1650 S. Hollywood Boulevard
- Site Acreage: 60
- Project Type: Building addition (existing fitness building)
- Number of Stories: 1
- Building Height: 22 feet
- Square Feet: 1,470
- Parking Required/Provided: 190/214

Site Plan

This request is to add an approximate 1,470 square foot room addition to an existing fitness room in conjunction with the existing Hollywood Regional Park. The building expansion is located on the southwest corner of the Hollywood Recreation Center. The existing parking and the remainder of site will remain unchanged.

Landscaping

The plans show site improvements on the west side of the proposed building addition, which will include a new accessible route for the public right-of-way and new landscaping around the

walkway and adjacent to the building. Due to construction activities, all destroyed landscaping will be re-established to match the existing landscape areas within the park.

Elevations

The building addition is 22 feet high, which is similar to the existing building and constructed of CMU cap block walls with storefront and glazing windows and doors to match the existing building.

Floor Plans

The plans show a 1,470 square foot room addition as an expansion of the existing fitness room.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed addition will provide additional amenities to the public and the existing site and parking will remain unchanged.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0309-09	Allow hazardous material storage in conjunction with an aquatic center and design review for an aquatic center with an outdoor pool in conjunction with a public park	Approved by PC	June 2009
ADR-0294-07	3 additional shade structures in conjunction with an existing park	Approved Administratively	April 2007
ADR-0197-05	2 shade structures in conjunction with an existing public park	Approved Administratively	March 2005
ZC-0276-01	Reclassified an approximate 20 acre parcel to the west of this site across Hollywood Boulevard to a P-F zone for an elementary school which used to be one parcel with the subject parcel	Approved by BCC	April 2001
ZC-0147-01	Reclassified approximately 160 acres of this parcel, including this site, to a P-F zone for a park	Approved by BCC	March 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Public Facility	P-F	Part of the existing Hollywood Regional Park
South	Public Facility	P-F	Undeveloped parcels
West	Public Facility	P-F	Elementary school (Iverson Elementary)

Related Applications

Application Number	Request
DR-18-0689	A design review for improvement of the Sunset volleyball complex including an accessory structure is a related 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 is an expansion of the existing fitness room to add more area for fitness activities for the neighboring community. Staff finds that the building addition will be similar in height to the existing building and will be constructed of similar materials, and colors to match the existing buildings. Therefore, staff can support 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

- 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 Clark County Real Property Management (CCRPM) must submit plans to Bureau of Land Management (BLM) to update their Plan of Development (POD).

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0107-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: CLARK COUNTY, REAL PROPERTY MANAGEMENT

CONTACT: JOHN HADDAD, 241 W. CHARLESTON BLVD, STE 107, LAS VEGAS, NV 89102

DRAFT

10/17/18 BCC AGENDA SHEET

VEHICLE PAINT & BODY SHOP
(TITLE 30)

LAMB BLVD/LAKE MEAD BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0672-L N Y INVESTMENT, LLC:

USE PERMITS for the following: 1) permit a proposed vehicle paint and body shop facility; and 2) permit a proposed vehicle maintenance facility in the APZ-2 Overlay District.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce the separation from a vehicle paint and body shop to a residential use; and 2) permit a vehicle paint and body shop as a principal use in conjunction with previously approved tire sales and installation, vehicle maintenance, and vehicle repair facilities on a portion of 3.9 acres in an M-D (Designed Manufacturing) (APZ-2) Zone.

Generally located on the east side of Lamb Boulevard and the north side of Lake Mead Boulevard within Sunrise Manor. MK/md/ml (For possible action)

RELATED INFORMATION:

APN:

140-20-201-015 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the separation from a vehicle paint and body shop to a residential use to 90 feet where a minimum of 200 feet is required per Table 30.44-1 (a 55% reduction).
2. Permit a vehicle paint and body shop as a principal use where required as an accessory use to automobile or off-highway vehicle sales per Table 30.44-1.

LAND USE PLAN:

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 4324 E. Lake Mead Boulevard
- Site Acreage: 3.9
- Project Type: Vehicle paint and body
- Square Feet: 12,965 (vehicle paint and body shop)/14,441 (overall building)
- Parking Required/Provided: 160/160

Site Plans

The approved plans depict a proposed convenience store (building 1), consisting of 3,000 square feet, located at the southeast corner of the site. A gasoline station, consisting of a fuel canopy with an area of 3,848 square feet, is located to the southwest of the convenience store. Building 2, located to the north of the convenience store, consists of 14,790 square feet and contains 6 service bays for vehicle maintenance and 6 service bays for vehicle repair. Tire sales and installation is also proposed within building 2. The area for building 3 has been reduced from 14,496 square feet to 14,441 square feet, since the original land use approval. The vehicle paint and body shop is located in building 3, with an overall area of 12,965 square feet. The remaining area consists of a vehicle sales and rental area measuring 496 square feet and a customer service area and office consisting of 980 square feet. The previously approved development requires 160 parking spaces where 160 parking spaces are provided. Access to the project site is granted via 2 proposed commercial driveways along Lamb Boulevard and 1 commercial driveway along Lake Mead Boulevard.

Landscaping

The approved plans depict a 20 foot wide landscape area, exceeding Code requirements of Figure 30.64-11, along the north and east property lines of the project site adjacent to the existing residential uses. Large, 24 inch box evergreen trees, planted 20 feet on center, are located within these landscape areas. Additionally, an 8 foot high decorative block wall is located along the northern and eastern property lines. A 20 foot wide landscape area is located behind the existing 5 foot wide attached sidewalks along Lake Mead Boulevard and Lamb Boulevard. Large, 24 inch box trees are planted 20 feet on center within these landscape areas in addition to shrubs and groundcover. Large, 24 inch box trees are equitably distributed throughout the interior of the parking lot per Code requirements.

Elevations

The approved plans for building 3 depict a proposed vehicle paint and body shop with a height ranging from 19.5 feet to 21 feet to the top of the parapet wall. The service bay doors for building 3 are located on the south side of the facility. The east elevations feature an aluminum storefront window system with an exterior consisting of split-face and smooth face CMU block. The north, south, and west elevations feature an exterior consisting of split-face and smooth face CMU block. An aluminum storefront window system is also featured on a portion of the south elevation. Building 3 will feature a natural gray and sandstone color schematic.

Floor Plans

The approved plans for building 3 depict a vehicle paint and body shop consisting with an overall area of 12,965 square feet. A customer service area and office consisting of 980 square feet are located within the western portion of building 3. The auto sales and rental office, consisting of 496 square feet, is also located within the building.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states the proposed location of the vehicle paint and body shop in building 3 of the previously approved automobile plaza development maximizes the buffering from the residential development to the north and east. No garage doors from building 3 face towards the existing residential development and the proposed facility will be integrated into the overall development to enhance compatibility with the previously approved uses.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-500131	3 lot commercial subdivision	Approved by PC	September 2018
UC-18-0168	Various uses including convenience store, gasoline station, tire sales and installation facility, vehicle maintenance facility, vehicle repair facility, vehicle rental facility, and vehicle sales facility.	Approved by BCC	April 2018
WC-18-400054 (ZC-0307-11)	A waiver requiring 24 inch box trees with no shrubs within the landscape area along the street frontage	Approved by BCC	April 2018
TM-0125-12	1 lot commercial subdivision – expired	Approved by PC	January 2013
ZC-0307-11	Reclassified the project site from R-T, R-2, R-4, and C-2 zones to an M-D zone with use permits for a convenience store, reduced separation from a convenience store to a residential use, and reduced setback from a service station to a residential use; and a design review for a convenience store and service station and lighting and signage	Approved by BCC	August 2011
ZC-1083-00	Zone boundary amendment from T-C to R-T zoning to implement Title 30 for a portion of the site	Approved by BCC	September 2000
VC-1003-96	Increased block wall heights in conjunction with a manufactured home park	Approved by PC	July 1996
VC-003-56	Established a manufactured home park	Approved by BCC	February 1956

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-T	Single family residence
East	Business and Design/Research Park	R-T	Manufactured home park
South	Commercial Neighborhood	C-1	Undeveloped & commercial center
West	Commercial General, Institutional, and Business and Design/Research Park	C-2 and R-2	Undeveloped & place of worship

Related Applications

Application Number	Request
WC-18-400198 (UC-18-0168)	A waiver of conditions requiring no vehicle paint shop 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 Permits

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.

Use Permit #1

Staff can support the request to permit a vehicle paint and body shop with the previously approved development. Vehicle paint and body shops have previously been approved within industrial zoning districts in other parts of unincorporated Clark County. The service bay doors associated with the vehicle paint and body shop are oriented away, and screened from the residential uses to the north and east, complying with Commercial Policy 68 that states overhead doors shall be screened from residential uses. Therefore, staff can support this request.

Use Permit #2

Accident Potential Zones are sub-districts of the Overlay District and are areas potentially affected by accidents and arriving/departing aircraft. Special use permits are required in the APZ-1 and APZ-2 Overlay Districts to evaluate any impacts or interference the proposed uses may have on the operations of Nellis Air Force Base (NAFB). The use permit application is to ensure compatibility between various land uses and NAFB. According to Title 30, a vehicle paint and body shop may be appropriate in the APZ-1 and APZ-2 Overlay Districts based on various factors including labor intensity, height of the structures, structural coverage, explosive characteristics, air pollution, size of establishments, density of people, and peak period concentrations (including customers/visitors). Staff finds the proposed vehicle paint and body shop does not conflict with the APZ-2 sub-district when considering factors such as labor intensity, density of people, and peak period concentrations (including customers/visitors). Commercial Policy 67 from the Comprehensive Master Plan encourages commercial developments that are compatible with abutting uses through site planning and building design. Staff finds that the proposed use is compatible with the abutting commercial and institutional land uses to the west and south of the project site. For the purposes of the APZ-1 and APZ-2 Overlay Districts, the proposed uses will not have a negative impact on NAFB operations; therefore, staff can 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

A typical intense landscape buffer consists of a 6 foot high decorative block wall with a 10 foot wide landscape area. An 8 foot high decorative block wall and a 20 foot wide landscape area featuring an intense landscape buffer are proposed in lieu of the typical landscaping requirements adjacent to a less intensive use (single family residential). The proposed design quality for the overall project, as well as the orientation of the buildings, increased block wall height, and enhanced perimeter landscaping mitigate the reduced setback to the existing residential uses. Therefore, staff can support this request.

Waiver of Development Standards #2

Vehicle paint and body shops are required to be an accessory use to automobile sales in the M-D zoning district. While vehicle sales are proposed with the overall development, the paint and body shop functions as a principal use independent from the vehicle sales. The service bay doors associated with the vehicle paint and body shop are oriented away, and screened from the residential uses to the north and east, complying with Commercial Policy 68 that states overhead doors shall be screened from residential uses. Staff finds the proposed vehicle paint and body shop is compatible with the previously approved automobile related uses; therefore, can support 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 gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- 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;
- Construct bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0123-2018 to obtain your POC exhibit; and that flow contributions exceeding District estimates may require another POC analysis.

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

**APPLICANT: L N Y INVESTMENT, LLC
CONTACT: RICHARD SERFAS, 2129 STONE CROFT ST, LAS VEGAS, NV 89134**

CONVENIENCE STORE/VEHICLE REPAIR
VEHICLE PAINT AND BODY SHOP
(TITLE 30)

LAMB BLVD/LAKE MEAD BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-18-400198 (UC-18-0168) -L N Y INVESTMENT, LLC:

WAIVER OF CONDITIONS of a use permit (UC-18-0168) requiring no vehicle paint shop in conjunction with previously approved tire sales and installation, vehicle maintenance, and vehicle repair facilities on a portion of 3.9 acres in a M-D (Designed Manufacturing)(APZ-2) Zone.

Generally located on the east side of Lamb Boulevard and the north side of Lake Mead Boulevard within Sunrise Manor. MK/md/ml (For possible action)

RELATED INFORMATION:

APN:

140-20-201-015 ptn

LAND USE PLAN:

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: 4324 E. Lake Mead Boulevard
- Site Acreage: 3.9 (portion)
- Project Type: Vehicle paint and body
- Square Feet: 12,965 (vehicle paint and body shop)/14,441 (overall building)
- Parking Required/Provided: 160/160

Site Plans

The approved plans depict a proposed convenience store (building 1), consisting of 3,000 square feet, located at the southeast corner of the site. A gasoline station, consisting of a fuel canopy with an area of 3,848 square feet, is located to the southwest of the convenience store. Building 2, located to the north of the convenience store, consists of 14,790 square feet and contains 6 service bays for vehicle maintenance and 6 service bays for vehicle repair. Tire sales and installation is also proposed within building 2. The area for building 3 has been reduced from 14,496 square feet to 14,441 square feet, since the original land use approval. The vehicle paint and body shop is located in building 3, with an overall area of 12,965 square feet. The remaining area consists of a vehicle sales and rental area measuring 496 square feet and a customer service

area and office consisting of 980 square feet. The previously approved development requires 160 parking spaces where 160 parking spaces are provided. Access to the project site is granted via 2 proposed commercial driveways along Lamb Boulevard and 1 commercial driveway along Lake Mead Boulevard.

Landscaping

The approved plans depict a 20 foot wide landscape area, exceeding Code requirements of Figure 30.64-11, along the north and east property lines of the project site adjacent to the existing residential uses. Large 24 inch box evergreen trees, planted 20 feet on center, are located within these landscape areas. Additionally, an 8 foot high decorative block wall is located along the northern and eastern property lines. A 20 foot wide landscape area is located behind the existing 5 foot wide attached sidewalks along Lake Mead Boulevard and Lamb Boulevard. Large, 24 inch box trees are planted 20 feet on center within these landscape areas in addition to shrubs and groundcover. Large, 24 inch box trees are equitably distributed throughout the interior of the parking lot per Code requirements.

Elevations

The approved plans for building 3 depict a proposed vehicle paint and body shop with a height ranging from 19.5 feet to 21 feet to the top of the parapet wall. The service bay doors for building 3 are located on the south side of the facility. The east elevations feature an aluminum storefront window system with an exterior consisting of split-face and smooth face CMU block. The north, south, and west elevations feature an exterior consisting of split-face and smooth face CMU block. An aluminum storefront window system is also featured on a portion of the south elevation. Building 3 will feature a natural gray and sandstone color schematic.

Floor Plans

The approved plans for building 3 depict a vehicle paint and body shop consisting with an overall area of 12,965 square feet. A customer service area and office consisting of 980 square feet are located within the western portion of building 3. The auto sales and rental office, consisting of 496 square feet, is also located within the building.

Previous Conditions of Approval

Listed below are the approved conditions for UC-18-0168:

Current Planning

- No vehicle paint shop;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection;
- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Install cameras for surveillance and security that can be used by public safety.
- 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;
- Construct bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Nevada Department of Transportation approval.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to e-mail sewerlocation@cleanwaterteam.com and reference POC Tracking #0123-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Signage

Signage is not a part of this application.

Waivers of Conditions

This application is a request to waive the condition requiring no vehicle paint shop.

Applicant's Justification

The applicant states the proposed location of the vehicle paint and body shop in building 3 of the previously approved automobile plaza development maximizes the buffering from the residential development to the north and east. No garage doors from building 3 face toward the existing residential development and the proposed facility will be integrated into the overall development to enhance compatibility with the previously approved uses.

Prior Land Use Requests

Application Number	Request	Action	Date
TM-18-500131	3 lot commercial subdivision	Approved by PC	September 2018
UC-18-0168	Various uses including convenience store, gasoline station, tire sales and installation facility, vehicle maintenance facility, vehicle repair facility, vehicle rental facility, and vehicle sales facility	Approved by BCC	April 2018
WC-18-400054 (ZC-0307-11)	A waiver of conditions requiring 24 inch box trees with no shrubs within the landscape area along the street frontage	Approved by BCC	April 2018
TM-0125-12	1 lot commercial subdivision – expired	Approved by PC	January 2013

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0307-11	Reclassified the project site from R-T, R-2, R-4, and C-2 zones to an M-D zone with use permits for a convenience store, reduced separation from a convenience store to a residential use, and reduced setback from a service station to a residential use; and a design review for a convenience store and service station and lighting and signage	Approved by BCC	August 2011
ZC-1083-00	Reclassified from T-C to R-T zoning to implement Title 30 for a portion of the site	Approved by BCC	September 2000
VC-1003-96	Increased block wall heights in conjunction with a manufactured home park	Approved by PC	July 1996
VC-003-56	Established a manufactured home park	Approved by BCC	February 1956

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-T	Single family residence
East	Business and Design/Research Park	R-T	Manufactured home park
South	Commercial Neighborhood	C-1	Undeveloped & commercial center
West	Commercial General, Institutional, and Business and Design/Research Park	C-2 and R-2	Undeveloped & place of worship

Related Applications

Application Number	Request
UC-18-0672	A use permit for a proposed vehicle paint and body shop facility with waivers of development standards 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

The area for building 3 has been reduced from 14,496 square feet to 14,441 square feet, since the original land use approval. The proposed vehicle paint and body shop will occupy an area consisting of 12,965 within building 3. Building 3 has been designed to ensure the service bay doors associated with the vehicle paint and body shop are oriented away, and screened from the residential uses to the north and east, complying with Commercial Policy 68 of the Comprehensive Master Plan that states overhead doors shall be screened from residential uses.

Additionally, no service bay doors are located on the north side of building 3, which faces toward an existing single family residence. The 20 foot wide intense landscape buffer along the north and east property lines complies with Commercial Policy 62 that encourages intense buffering and design features on the perimeter of parcels adjacent to existing single family residential uses. Staff finds the proposed vehicle paint and body shop is compatible with the previously approved automobile related uses; therefore, can support this request.

Staff Recommendation Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- No gathering of individuals in an area that would result in an average density of greater than 25 persons per acre per hour during a 24-hour period, not to exceed 50 persons per acre at any time;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- 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

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show fire hydrant locations on-site and within 750 feet; fire protection may be required for this facility; operational permits may be required for this facility; to contact Fire Prevention for further information at (702) 455-7316; to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction.

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 #0123-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTEST:

APPLICANT: L N Y INVESTMENT, LLC
CONTACT: RICHARD SERFAS, 2129 STONE CROFT ST, LAS VEGAS, NV 89134

DRAFT

TOWING SERVICE/OFFICE
(TITLE 30)

FREMONT ST/MOJAVE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
ZC-18-0693-LA CASA I, LLC:

ZONE CHANGE to reclassify 1.8 acres from C-2 (General Commercial) Zone to M-D (Designed Manufacturing) Zone.

USE PERMITS for the following: 1) a proposed towing service facility; 2) accessory vehicle repair; and 3) reduce separation of vehicle repair from an existing residential development.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduce street landscaping; and 2) allow non-standard improvements (landscaping) within the future right-of-way (Fremont Street).

DESIGN REVIEWS for the following: 1) commercial building; 2) towing service facility; 3) manager's unit; and 4) vehicle repair building for a towing service and vehicle repair facility on 2.3 acres in the MUD-3 Overlay District.

Generally located on the northeast side of Fremont Street, 1,200 feet northwest of Mojave Road within Sunrise Manor (description on file). CG/mk/ml (For possible action)

RELATED INFORMATION:

APN:
162-01-601-013; 162-01-601-015

USE PERMITS:

1. Towing service facility.
2. Accessory vehicle repair.
3. Reduce separation of a proposed vehicle repair building from residential development to zero feet where 200 feet is required per Table 30.44-1 (100% reduction).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the required on-site street landscaping along an arterial street (Fremont Street) to 10 feet where 15 feet of landscaping adjacent to an attached sidewalk is required per Section 30.64.030 (a 33% reduction).
2. Allow non-standard improvement (landscaping) within the future right-of-way (Fremont Street).

LAND USE PLAN:

SUNRISE MANOR - COMMERCIAL TOURIST & INDUSTRIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.3
- Project Type: Towing service facility and commercial building
- Number of Stories: 1 and 2
- Building Height: 27 feet
- Square Feet: 4,322 (commercial buildings)/1447 (repair/maintenance garage)/530 (manager's unit)/104 (security guard shack)/58,053 (towing storage yard)
- Parking Required/Provided: 31/33 and 261 tandem storage spaces within the towing yard

History & Site Plans

The subject site (2 parcels) was reclassified to C-2 Zone by the action of ZC-0118-16, which was approved by the Board in April 2016. Since the zone change was approved without a design review (no plans submitted) the applicant was required to apply for a design review as a public hearing on final plans. The updated Sunrise Manor Land Use Plan, which was adopted on February 7, 2018 changed the land use designation for the eastern parcel (162-01-601-013) from Commercial General to Industrial. The applicant is requesting to reclassify the eastern parcel from C-2 Zone to M-D Zone to allow a towing service facility, accessory vehicle repair, and outside storage of vehicles. This application also includes a design review for commercial buildings on parcels 162-01-601-015 and 013 and other accessory structures such as manager's unit, a vehicle repair garage and security guard shack.

The plans depict a commercial building with offices and a manager's unit set back 85 feet from the west property line along Fremont Street in the C-2 zoned portion of the site. A vehicle repair/office and maintenance building is located to the southeast of the commercial building. Also shown on plans is a security guard shack, 2 covered parking spaces, and a trash enclosure located on the southwestern portion of parcel 162-01-601-013. There is a 24 foot wide wrought iron gate separating the towing yard located in the rear of the property from the above mentioned buildings in the front.

Landscaping

The plans depict a 10 foot to 30 foot wide landscape area adjacent to a 5 foot attached sidewalk along Fremont Street; however, a 20 foot wide portion is located within the future right-of-way. Title 30 provisions require all street landscaping to be provided on-site. The plans depict 10 foot wide proposed landscaping on the site along Fremont Street. The plans also show a 10 foot wide intense landscape buffer per Figure 30.64-12 with an 8 foot high decorative CMU block wall along the north property line adjacent to residential development. Additionally, the plans show a 5 foot wide landscape area with an 8 foot high decorative CMU wall along the east and south property lines adjacent to the existing commercial/industrial properties.

Elevations

The plans show a 2 story, 27 foot high commercial building, a 17 foot high vehicle repair/office building and an 11 foot 3 inch high guard shack. The buildings show architectural features such

as stucco pop-outs between doors and windows; and the building will be constructed of stucco finish, flat concrete tile roof, storefront windows and metal roll-up doors on the vehicle repair building.

Floor Plans

The plans show the proposed commercial building will have 2 floor areas, 2426 square feet each: The first floor consists of offices, bathrooms and an open shell area; and the second floor consists of a manager’s unit, offices, bathrooms and a storage area. The 1,447 square foot auto repair building includes a workshop area with 2 overhead doors facing the north side of the site and bathrooms.

Signage

Signage is not a part of this application.

Applicant’s Justification

The applicant states that the recently adopted Sunrise Manor Land Use Plan changed the land use designation from Commercial Tourist to Industrial, with the understanding the property owner would come back with a request to change the zoning to the M-D zone for a towing service facility. Through the land use plan update process, the property owner withdrew the front parcel from the request and left it as Commercial Tourist (zoned C-2). The applicant states that the towing yard is shown on the rear of the property with a screen wall and landscaping separating the towing yard from the commercial portion. The applicant further states that if a person’s car is towed, an employee will go onto the site and retrieve the car, customers will not be able to go in the towing yard and drive their car out.

The applicant believes the design and proposed use are appropriate on the subject site. The area has had some issues with homeless encampments along Fremont Street, therefore a security guard caretaker’s quarter will provide additional security for the cars that are parked in the tow yard and for the businesses on the site. The applicant held a neighborhood meeting with the residents of the manufactured home park prior to the adoption of the land use guide. An additional meeting was held with the residents of the Park in June. The residents that attended the meeting (they are adjacent to the tow yard) and the management of the park are happy that a development is going on the site. The applicant believes the proposed facility will improve the property and enhance the adjacent neighborhood.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0118-16	Reclassified the subject parcels to C-2 zoning with no specific development plans	Approved by BCC	April 2016
ZC-1853-05 (ET-0091-11)	Second extension of time to reclassify these parcels and an adjacent parcel from H-2 Zone and R-4 Zone to H-1 Zoning for a future commercial development – expired	Approved by BCC	November 2011
UC-0946-07 (ET-0090-11)	Second extension of time for a resort condominium development – expired	Approved by BCC	November 2011

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0946-07	Resort condominium development, increase building height, including associated waivers and design review – expired	Approved by BCC	September 2007
ZC-1853-05	Reclassified these parcels and an adjacent parcel from H-2 and R-4 to H-1 zoning for a future commercial development – expired	Approved by BCC	January 2006
ZC-2101-96 (ET-0063-99)	First extension of time on a zone boundary amendment to H-1 zoning for a resort hotel – expired	Approved by BCC	April 1999
ZC-2101-96	Amended parcels and an adjacent parcel from H-1 and H-2 to H-1 zoning with a use permit for a resort hotel – expired	Approved by BCC	February 1997
UC-2100-96	Automobile sales – expired	Approved by PC	January 1997

There were additional extensions of time on previous land use approvals that included the parcels in this request and have subsequently expired.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North/ Northeast	Residential Medium (from 3 to 14 du/ac) & Commercial Tourist	R-T & M-1	Manufactured home park & industrial development
Southeast/ Southwest	Commercial Tourist & Commercial General	H-2 & C-2	Commercial development
West/ Northwest	Commercial Tourist	C-2 & H-1	Nightclub with tavern, restaurant & commercial development

STANDARDS FOR APPROVAL:

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

Analysis
Current Planning
Zone Change

This is a conforming zone boundary amendment to the Sunrise Manor Land Use Plan. Along this portion of the Fremont Street corridor there are commercial developments of similar intensity including vehicle sales, vehicle repair and light industrial and outside storage. The M-D zoning district is less intense than the adjacent development on the north zoned M-1 and is an appropriate transition from the C-2 zoning along Fremont Street. Staff finds that with the proposed site design, which includes an intense buffer with evergreen trees along the perimeter of the site, the M-D zoning is ideal for this site, and therefore, complies with Urban Specific Policy 101 of the Comprehensive Master Plan which encourages, in part, to ensure that industrial developments are complementary with abutting uses through site planning and building design

on the perimeter. Appropriate buffers, setbacks, landscaping, and building height should be considered and integrated into the commercial development. Therefore, staff can support this request.

Use Permits

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.

Towing service and accessory vehicle repair in the M-D zoning district are permitted through the approval of a use permit, which requires performance measures (conditions) to mitigate potential adverse impacts. Staff finds that the proposed vehicle repair building is located on the southern portion of the site away from the existing single family residential development. The plans also show an 8 foot high decorative wall, a 10 foot wide intense landscape buffer with evergreen trees along the north and northeast property lines adjacent to the existing single family residential development. The proposed intense buffer will mitigate the impact and provide visual relief to the adjacent neighborhood. Therefore, complying with Urban Specific Policy 101 of the Comprehensive Master Plan to ensure that industrial developments are complimentary with abutting uses through site planning and building design on the perimeter. Appropriate buffers, setbacks, landscaping, building height, materials, and adjoining land uses and densities should be considered and integrated into industrial developments. Therefore, staff finds that the proposed uses will complement the existing land uses and developments in the area, and can support these requests.

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 purpose of providing landscaping is to improve air quality, the visual image of the site, the community in general, reduce dust, noise, conserve water and minimize water runoff onto street. Although, the applicant is proposing to install a 10 foot wide landscape area on-site, a 20 foot wide landscape area is proposed within the future right-of-way which staff finds as an acceptable alternative to the standard. Similar requests for required street landscaping within the right-of-way have been approved throughout the Fremont Street/Boulder Highway frontage. Therefore, staff can support this request.

Design Reviews

The proposed site layout, and design of all 3 buildings meets the design and development standards established in Title 30. The proposed commercial/office building is located on the parcel adjacent to Fremont Street and the towing service yard and vehicle repair is located at the

rear of the site enclosed by an 8 foot high decorative CMU wall. A 10 foot wide intense landscaping area with evergreen trees is provided along the perimeter of the site that complies with Urban Specific Policy 103 which encourages industrial developments to orient offices, similar less intensive uses, and landscaping adjacent to public right-of-way on the perimeter of the developments to improve visual quality. More intensive land uses should be internalized within the development. Therefore, staff can support these requests.

Public Works - Development Review

Waiver of Development Standards #2

Freemont Street is under Nevada Department of Transportation (NDOT) jurisdiction. Staff has no objection to this waiver of development standards to allow non-standards improvements (landscape) in the right-of-way, if the applicant obtains approval from NDOT.

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;
- Landscape and decorative perimeter walls per plans in file;
- Lighting should be screened and shielded away from shining toward the existing residential development;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Nevada Department of Transportation approval.

Building Department - Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; 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; show fire hydrant locations on-site and within 750 feet; operational permits

may be required for this facility; fire protection may be required for this facility; and to contact Fire Prevention for further information at (702) 455-7316.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0527-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: LA CASA 1, LLC

CONTACT: LUCY STEWART, LAS CONSULTING, 1930 VILLAGE CENTER CIRCLE,
BLD 3 STE 577, LAS VEGAS, NV 89134

DRAFT

MULTI-FAMILY DEVELOPMENT
(TITLE 30)

OWENS AVE/BETTY LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ZC-18-0699-ORVPP TRUST & KUMAR, RASMI TRS:

ZONE CHANGE to reclassify 1.6 acres from R-E (Rural Estates Residential) Zone to R-3 (Multiple Family Residential) Zone.

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce street landscaping along Owens Avenue; **2)** reduce open space area, and **3)** modified street standards.

DESIGN REVIEWS for the following: **1)** a multiple family residential development; and **2)** alternative parking lot landscaping.

Generally located on the northeast corner of Owens Avenue and Betty Lane within Sunrise Manor (description on file). LW/mk/ml (For possible action)

RELATED INFORMATION:

APN:

140-21-403-017

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce street landscaping along Owens Avenue to 6 feet where landscaping per Figure 30.64-17 is required.
2. Reduce the minimum open space area to 5,386 square feet (192 square feet/unit) where 5,600 square feet (200 square feet/unit) minimum area is required (a 4% reduction).
3.
 - a. Reduce throat depth to 12 feet for a driveways along Owens Avenue where a minimum of 50 feet is required per Uniform Standard Drawing 222.1 (a 76% reduction)
 - b. Reduce the departure distance from intersection to the driveway along Betty Lane to 108 feet and to the driveway along Owens Avenue to 68 feet where a minimum of 190 feet is required per Uniform Standard Drawing 222.1 (a 64.2% & 43.2% reduction respectively).
 - c. Reduce the approach distance from the driveway to the intersection along Sherwin Lane to 108 feet and along Owens Avenue to 69 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 28% & 54% reduction respectively).

DESIGN REVIEWS:

1. Apartment complex.
2. Alternative parking lot landscaping by eliminating landscape Fingers per 30.64-14.

LAND USE PLAN:

SUNRISE MANOR - RESIDENTIAL HIGH (FROM 8 DU/AC TO 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.6
- Number of Units: 28
- Density (du/ac): 18
- Project Type: Multiple family residential development
- Number of Stories: 2
- Building Height: 30 feet
- Square Feet: 952 (2 bedroom unit) & 969 (3 bedroom unit)
- Open Space Required/Provided: 5,600 square feet/5,386 square feet
- Parking Required/Provided: 52/52

Site Plans

The request is to reclassify a 1.6 acre parcel to an R-3 zoning district for a proposed multi-family residential development consisting of 28 units, at a density of 18 dwelling units per acre. The plans show 2 apartment buildings (A & B) facing Owens Avenue with trash enclosures and recycling areas located on the northeast and northwest of each building respectively. The plans also show a usable open space located between buildings A & B. The open space consists of a covered multi-purpose gathering area, a playground, benches and trees to provide shade. An existing power line easement bisects the site into two halves. A total of 52 parking spaces are provided and located on the east, west, and south sides of the buildings and parallel spaces along the north property line.

Landscaping

The plan depicts a 6 foot wide landscape area adjacent to an existing sidewalk along Owens Avenue, Betty Lane, and Sherwin Lane. The plans also show a 6 foot wide landscape buffer per Figure 30.64-11 with a 6 foot high CMU wall along the north property line adjacent to the single family residential development. Additional landscaping is shown on all corners of the buildings, around the power line easement and the usable open space between the 2 apartment buildings.

Elevations

The plans depict 2 apartment buildings, which are 2 story, and 30 feet high. The buildings will have pitched tile roofs and stucco exterior, which will have architectural features and window fenestrations, covered entries, and metal guard railing to enclose the patio/balcony of each unit.

Floor Plans

The plans depict 2 buildings with 14 units each for a total of 28 units which will include 16, two bedroom units, (952 square feet each unit) and 12, three bedroom units (969 square feet each

unit). There is a 969 square foot leasing office located on the first floor of building A and 969 square foot of storage area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the proposed development meets the design and development standards per Code and will provide affordable housing in the area. The requested waivers are consistent with the existing conditions and previously approved land uses. Additionally, the applicant states that the project eliminates landscape fingers in order to provide enough parking spaces to patrons and at the same time to provide additional trees to other landscaped area on site. Adequate landscaping is provided along the street frontage and north property line adjacent to the existing single family residences. The applicant strongly believes that the proposed project will beautify the community and give residents the chance to enjoy new affordable housing.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-D & R-E	Single family residential developments
South	Institutional & Rural Neighborhood Preservation (2 du/ac)	R-E	Place of worship & single family residences
West	Residential High (from 8 du/ac to 18 du/ac)	R-2	Single family residential development

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 zone change conforms to the Sunrise Manor Land Use Plan and is within the range of density and intensity specifically designated for this site. The request complies with Goal 7 of the Comprehensive Master Plan which encourages housing alternatives to meet a range of lifestyle choices, age and affordability levels. Staff finds the applicant's request for R-3 zoning is appropriate as this site fronts Owens Avenue, and the development will serve as an adequate buffer between the single family residences to north and the collector street (Owens Avenue). Therefore, staff can 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.

Waivers of Development Standards #1 & #2

The requested waiver for reduced landscape width along Owens Avenue should not have a significant impact on the surrounding area since the surrounding properties have similar width of landscape area or do not have landscaping. The proposed landscaping is sufficient and exceeds the number of trees and shrubs to enhance and beautify the area. Additionally staff does not have any practical problem with reduction of open space by 4% since the applicant is providing a common usable open space consisting of a covered multi-purpose gathering area, benches and playground with additional trees to provide shade; therefore staff can support the requested waivers.

Design Reviews

Staff finds that the proposed site layout is appropriate for this particular site since it is bisected by a power line easement. The applicant utilized the area below the power line easement and between the 2 apartment buildings to provide a multi-gathering open space with benches, playground and trees for tenants to enjoy; therefore, complying with Urban Specific Policy 51 of the Comprehensive Master Plan which encourages all multiple family projects should provide amenities such as usable open space and community center. Since the proposed development is of higher density than the properties to the north, the applicant located the building away from the north property line and provided a 6 foot high CMU wall with a landscape buffer. This complies with Urban Specific Policy 46 of the Comprehensive Master Plan which encourages a block wall and landscape buffer when higher density residential is proposed next to estate residential areas. Therefore, staff supports the designs as requested.

Public Works - Development Review

Waiver of Development Standards #3a

Staff cannot support this waiver for a reduce throat depth for driveways along Owens Avenue. Owens Avenue is a collector street with higher traffic flows and higher speed limits. Such a reduced throat depth may cause vehicles entering into the site to have to stop on the roadway potentially causing traffic accidents.

Waivers of Development Standards #3b & #3c

Staff can support the reduced approach distance along Sherwin Lane and the reduced departure distance along Betty Lane because the driveway are being located as far from the intersection as the lot dimensions allow it. However, staff cannot support the greater reduction on the driveways along Owens Avenue. The site can be designed with only 1 driveway along Owens Avenue which will allow for compliance with the required approach and departure distance and a larger throat depth.

Staff Recommendation

Approval of the zone change, waivers of development standards #1, #2, and the design reviews; and denial of waivers of development standards #3a, #3b, and #3c.

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:

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- All lighting to be shielded from shining towards the north residential properties;
- 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.

Building Department - Fire Prevention

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0529-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: MICHAEL MAYS

**CONTACT: ENCOMPASS STUDIO, 241 W. CHARLESTON BOULEVARD, SUITE 155,
LAS VEGAS, NV 89102**

SHADE STRUCTURE AND LIGHTING
(TITLE 30)

RADWICK DR/OWENS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

DR-18-0709-SCHOOL BOARD OF TRUSTEES:

DESIGN REVIEWS for the following: 1) a shade structure; and 2) additional lighting installation for an existing playground at Cesar Chavez Park on 18 acres in a P-F (Public Facility) Zone.

Generally located on the east side of Radwick Drive and approximately 830 feet south of Owens Avenue within Sunrise Manor. CG/jor/ml (For possible action)

RELATED INFORMATION:

APN:

140-26-103-005

LAND USE PLAN:

SUNRISE MANOR - PUBLIC FACILITIES

BACKGROUND:

Project Description

General Summary

- Site Address: 1490 Radwick Drive
- Site Acreage: 18
- Project Type: Shade Structure and additional lighting installation at Cesar Chavez Park
- Building Height (feet): 14 (minimum column height)/28 (maximum column height)/15 (column height with attached light fixtures)
- Square Feet: 1,311 (Red shade canopy)/ 1,192 (Blue shade canopy)/1,762 (Silver shade canopy)

Site Plan

The existing playground is part of a public park (Cesar Chavez Park) which is in conjunction to a middle school (O'Callaghan Middle School). The park encompasses the north side and a portion of the east side of the middle school. The site plan depicts an existing hexagonal shaped playground area that is approximately 220 feet east of Radwick Drive and 70 feet north of the school. There are three varying playsets in the playground and the center of the playground has an existing gazebo. The playground is partially enclosed with a blue wrought-iron fence, and is also accessible from two walking paths and a drive aisle adjacent to the school. The shade structure proposal covers the playground area with shade canopies and the proposed LED light

fixtures will be mounted to the shade structure columns located in the center. The existing light poles will remain on the site, and no additional light poles will be installed.

Landscaping

The existing landscaping and natural vegetation will remain on-site and no changes to the landscaping are proposed with this design review.

Elevations

The elevations depict the existing playsets and gazebo at the center of the playground. The shade canopies are suspended over each playset. Due to the undulating heights of the shade canopies, the columns vary in height from 14 feet to 28 feet. There are 3 existing light poles that will remain on the site. The center of the new shade structure will include columns that are 15 feet high, and the new light fixtures will be surface mounted at the top of the support column, but face down toward the playground.

Floor Plans

The site plans propose a shade structure with fabric canopies to be suspended over the three playground sections. The shade fabric canopies are red, blue, and silver in color and are supported by large metal columns. The square footage for all three canopies are 4,265 square feet. In addition, six light fixtures (two at the top of 3 centered columns) will be affixed to provide additional lighting to the playground equipment.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the purpose of the shade structure installation is to provide adequate shade for the children to safely enjoy the playground equipment. In addition, the shade structure will protect the playground equipment from extreme sun exposure. The new light fixtures will allow families to enjoy the playground during the evening hours.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-081-01	A park in conjunction with O'Callaghan Middle School	Approved by BCC	February 2000
ZC-0081-00	Reclassified 31 acres from R-E zoning to P-F zoning	Approved by BCC	February 2000
DR-0638-00	A public park	Approved by BCC	June 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Rural Neighborhood Preservation	R-E	Undeveloped
South	Schools, Churches, Public Facilities & Rural Neighborhood, Preservation	P-F & R-E	O'Callaghan Middle School & Single family residential
West	Rural Neighborhood Preservation	R-E	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Similar proposals for shade structures have been approved for public parks within the surrounding neighborhood. The lighting analysis provided, depicts no light spilling on to the neighboring properties. The proposed shade structure and new lighting are consistent and architecturally compatible with surrounding recreational structures for Cesar Chavez Park; therefore, staff can support 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

- 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

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: KETY JABBOUR
CONTACT: GERALD SHURLEY, SHURLEY DESIGN STUDIO, 1980 FESTIVAL PLAZA
DRIVE, SUITE 450, LAS VEGAS, NV 89135

DRAFT

ACCESSORY STRUCTURE
& BUILDING SETBACKS/SEPARATIONS
(TITLE 30)

LOS MEADOWS DR/WASHINGTON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0721-NELSON, JOHN GARY & REAY-NELSON, SHIRLEY:

USE PERMIT to allow existing accessory structures not architecturally compatible with the principal structure.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced interior side setback; 2) reduced rear setback; 3) reduced separation between existing accessory structures; and 4) reduced separation between accessory structures and the principal residence in conjunction with an existing single family residence in a R-D (Suburban Estates Residential District) Zone.

Generally located on the east side of Los Meadows Drive, 496 feet north of Washington Avenue within Sunrise Manor. CG/jor/ml (For possible action)

RELATED INFORMATION:

APN:

140-27-610-013

USE PERMIT:

Allow existing accessory structures not architecturally compatible with the principal structure where required per Table 30.44-1.

WAIVERS OF DEVELOPMENT STANDARDS:

1. a. Reduce the interior side setback for existing accessory structures to zero feet where a minimum of 5 feet is required per Table 30.40-1 (a 100% reduction).
b. Reduce the interior side setback for an existing principal structure to zero feet where 10 feet is required per Table 30.40-1 (a 100% reduction).
2. Reduce the rear setback for an existing accessory structure to 2 feet where 5 feet is required per Table 30.40-1 (a 60% reduction).
3. Reduce the separation between existing accessory structures to zero feet where 6 feet is required per Table 30.40-1 (a 100% reduction).
4. Reduce the separation between existing accessory structures and the existing principal residence to zero feet where 6 feet is required per Table 30.40-1 (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1284 Los Meadows Drive
- Site Acreage: 0.3
- Number of Lots/Units: 1
- Density (du/ac): 3
- Project Type: Accessory structures, separations, and setbacks
- Number of Stories: 1
- Building Height (Feet): 32 (principal residence)/8 ("she-shed")/12 ("he-shed")/7 (master bedroom patio cover)/8 (pool equipment cover)/11 (playhouse)/9 (patio shade cover)/9 (temporary car cover)/15 (RV cover/carport)
- Square Feet: 2,287 (principal residence)/96 ("she-shed")/160 ("he-shed")/140 (master bedroom patio cover)/96 (pool equipment cover)/36 (playhouse)/144 (patio shade cover)/153 (temporary car cover)/840 (RV cover/carport)

Site Plan

The site plan shows an existing residence on the west half of the property, with the front facing Los Meadows Drive. Per the site plan, there are existing accessory structures on the north, south, and east sides of the property. On the north property line, there are sheds, a patio cover, a playhouse, and a pool equipment cover. These structures have a minimum zero foot setback from the north block wall. The existing "she-shed" has a 3 foot separation from the principal residence and a 2 foot separation from the existing master bedroom patio cover. The existing pool equipment cover has a separation of 4 feet from the proposed master bedroom walk-in closet addition. The northeast corner of the property is where the existing playhouse was installed and is connected to the "he-shed", both of which have 2 foot setbacks from the north block wall. The east property line shows an existing "he-shed" with a rear setback of 2 feet. The southeast corner of the property has a temporary vehicle cover for the applicant's antique automobile. There is also an existing patio cover on the southeast corner of the existing pool, which has a zero foot separation to the existing RV cover/carport along the south property line. The RV cover/carport is attached to the principal residence with a zero foot setback to the wall. The site plan also depicts additions to the home which will increase the overall square footage to 2,287 square feet.

Landscaping

Per the landscape plan, the applicant has an existing variety of trees, groundcover, and shrubs throughout the front yard. The existing landscaping includes cacti, Rosemary shrubs, a Mesquite tree, decorative rocks, various palm trees, and mint plants. The applicant will add 3 Italian Cypress trees to the front wall of their home, including lavender shrubs and Mexican Bird of Paradise plants in select places of the front yard.

Elevations

The existing residence is 32 feet in height with a stucco finish and tiled roof. The applicant's existing "she-shed" has a height of 9 feet, painted to match the existing residence, and the exterior design resembles a barn. The "she-shed" has a zero foot setback from the north block

wall that is 7 feet 6 inches in height. The "she-shed" is set back 3 feet from the principal residence.

The master bedroom of the principal residence has access to the side yard, and above the doorway is a patio cover. The existing patio cover is 7 feet in height and is set back from the north block wall by 1 foot. The patio cover was also painted to match the existing residence, and is constructed of wood with asphalt paper covered ply board.

To the east of the existing master bedroom patio cover is an existing pool equipment cover. This structure is 8 feet in height, painted to match the existing residence, and was also constructed with wood and asphalt shingles over ply board for the roof.

Next to the pool equipment accessory structure is the existing playhouse. The playhouse has a height of 11 feet and is no longer needed on the property. This structure is subject to removal once it is sold.

The existing "he-shed" is east of the playhouse and has a barn style design and constructed of redwood with an asphalt shingle roof. A patio cover was added to the south side of the "he-shed" and support posts were installed into the concrete. Per the applicant, concrete was not installed underneath the "he-shed".

The existing temporary car cover is located on the southeast corner of the lot and has a height of 9 feet. The car cover is constructed of steel tubing and horizontal metal panels.

The existing patio shade cover adjacent to the southeast corner of the existing pool is bolted to the concrete and is 9 feet in height at the top of its arch. This patio shade cover is constructed of steel tubing and white metal panels, and has a zero foot separation to the RV cover/carport.

The RV cover/carport is 15 feet to the top of the arch. The north half of the RV cover/carport is bolted to a panel which is attached to the principal residence. The south side of the RV cover/carport is attached to support posts which is abutting with the southern block wall, hence creating the zero foot setback.

Floor Plans

The residence is currently 1,902 square feet, after remodeling their home the area will increase to 2,287 square feet. The following are the areas for the existing accessory structures: 96 square feet ("she-shed"), 160 square feet ("he-shed"), 140 square feet (master bedroom patio cover), 96 square feet (pool equipment cover), 36 square feet (playhouse), 144 square feet (patio shade cover), 153 square feet (temporary car cover), and 840 square feet (RV cover/carport).

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the existing accessory structures and sheds are an integral part of their home. The structures do not exceed half of the footprint of the principal dwelling, and are well

maintained. Also, adjacent neighbors have signed letters of support for the applicant's request. The applicant is requesting approval of their use permit and waivers of development standards so they can properly accommodate additions to their home while considering their existing structures.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, South, & East	Residential Suburban	R-D	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit

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

The playhouse extends 4 feet and the "he-shed" extends 5 feet above the block walls along the northern and southern property lines; therefore, requiring that the structures to be architecturally compatible with the principal residence. Although the structures have asphalt shingle roofs, rather than the tile roof of the residence, the code allows the alternative roofing material with the approval of an administrative minor deviation and letters of consent from abutting property owners. Since the structures are well maintained and the applicant has submitted letters from the adjacent and abutting neighbors in support of the building materials of the accessory structures, staff can 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.

Staff does not support elimination or significant reductions to setback and separation requirements. Setbacks and separations help preserve the appeal and integrity of a neighborhood as well as moderate adverse visual impacts. The request to reduce the structure setbacks and building separations, does not comply with Urban Specific Policy 39 of the Comprehensive Master Plan which encourages appropriate buffers and setbacks with single family residential developments. Therefore, staff cannot support this request.

Staff Recommendation

Approval of the use permit and denial of the waivers of development standards.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

If approved:

- 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

- No comment.

Building Department - Fire Prevention

- 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: JOHN & SHIRLEY NELSON

CONTACT: JOHN & SHIRLEY NELSON, 1284 LOS MEADOWS DRIVE, LAS VEGAS, NV 89110

11/06/18 PC AGENDA SHEET

SUPPER CLUB
(TITLE 30)

CHARLESTON BLVD/LAMONT ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-18-0727-THEMARNI, LLC:

USE PERMIT for on-premises consumption of alcohol (supper club).

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** reduce separation from on-premises consumption of alcohol (supper club) and a residential use; and **2)** reduce parking for a supper club in conjunction with a retail center on 1.2 acres in a C-1 (Local Business) Zone.

Generally located on the southwest corner of Charleston Boulevard and Lamont Street within Sunrise Manor. CG/jt/ml (For possible action)

RELATED INFORMATION:

APN:

161-05-510-008

USE PERMIT:

On-premises consumption of alcohol (supper club).

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce separation from on-premises consumption of alcohol (supper club) to a residential use to 95 feet where 200 feet is the minimum per Table 30.44-1 (a 53% reduction).
2. Reduce parking to 71 spaces where 103 spaces are required per Table 30.60-1 (a 31% reduction).

LAND USE PLAN:

SUNRISE MANOR - OFFICE PROFESSIONAL

BACKGROUND:

Project Description

General Summary

- Site Address: 4777 E. Charleston Boulevard, Suite 105
- Site Acreage: 1.2
- Project Type: On-premises consumption of alcohol (supper club)
- Square Feet: 3,068
- Parking Required/Provided: 103/71

Site Plan

The site plan depicts an existing "L" shaped retail center with a total area of 17,352 square feet and access from Charleston Boulevard to the north, Lamont Street to the east, and Nevada Avenue to the south. Parking spaces are provided on the north, east, and south property lines along each of the rights-of-way and adjacent to the front of the building, facing Charleston Boulevard. The proposed supper club will be located in the southwest portion of the building. Since single family residences are located on the south side of Nevada Avenue, 95 feet from the back wall of the proposed supper club, a waiver of development standards is necessary to reduce the separation between the uses. In addition, a waiver of development standards is necessary to reduce the number of parking spaces because a supper club requires 10 parking spaces per 1,000 square feet. Another restaurant is already located in the retail center, which requires 10 parking spaces per 1,000 square feet, and the remainder of the retail/commercial uses are parked at 4 spaces per 1,000 square feet. A trash enclosure is located on the southwest side of the parcel.

Landscaping

Existing 5 foot wide landscape strips are located along the north property line adjacent to Charleston Boulevard, adjacent to the east property line along Lamont Street, and adjacent to the south property line, adjacent to Nevada Avenue. Palm trees and gravel groundcover are located in the landscape strips. No changes to the landscaping are proposed.

Elevations

The existing retail center includes a shaded arcade adjacent to the store fronts, a mansard overhang above the arcade with asphalt shingles, and parapet walls above the mansard roof.

Floor Plans

Dining tables, bar, kitchen area, office, and restrooms are included in the 3,068 square foot supper club.

Signage

Signage is not a part of this request; however, the applicant is advised that all non-permitted signage, including banners hanging on other tenant spaces will need to be removed.

Applicant's Justification

According to the applicant, the immediate area is underserved regarding quality food choices, and the proposed supper club will provide a new restaurant to the neighborhood. In addition, the restaurant will help improve the retail center by adding employment opportunities and a viable business. Most traffic will enter the site from Charleston Boulevard, and patrons will enter and exit the business from the north side, away from the residential properties to the south. Parking spaces on-site, street landscaping, and Nevada Avenue will further provide a buffer from the back of the proposed supper club to the residents. Lastly, the applicant indicates that peak business times for the proposed supper club will be after normal business hours for most of the other tenants. When the other businesses in the retail center are closed, additional parking spaces will be available for the supper club.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0709-13	Food truck and a waiver of development standards to reduce parking - expired	Approved by PC	December 2013
UC-0105-07	Check cashing facility with a reduced separation from a residential use - expired	Approved by PC	March 2007
UC-0791-06	Supper club and reduced separation from a residential use – expired	Approved by PC	July 2006
UC-1498-01	Convenience store in conjunction with an existing shopping center	Approved by PC	January 2002
ZC-298-85 & VC-1-86	Reclassified to C-1 zoning for a 17,000 square foot shopping center with a variance to reduce on-site parking	Approved by BCC	January 1986

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	City of Las Vegas	R-3	Multiple family residential development
East	Office Professional	C-2 & C-P	Retail use & dry cleaners with parking lot
South	Residential Suburban (up to 8 du/ac)	R-1 (RNP-III)	Single family residences
West	Office Professional	C-2 & C-P	Financial Services, Specified (vehicle title loans)

Clark County Public Response Office (CCPRO)

There are no active violations on the property; however, there are numerous past violations for non-permitted signs, graffiti, and rubbish/debris.

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.

A supper club will help improve the success of the retail center by adding a viable business and diversifying the uses. In addition, the supper club will provide another restaurant option to the neighborhood without creating any negative impacts on surrounding properties such as noise, aroma, or traffic. The entrance to the supper club will face north toward Charleston Boulevard.

As a result, any additional noise and traffic will occur on the north side of the retail center, away from the residential properties to the south. However, aroma could negatively impact the residential properties to the south since the trash enclosure is located on the southwest side of the parcel. Staff recommends that the trash enclosure be secured with a locking mechanism purchased from the local trash service provider. The trash enclosure must be unlocked on the days of refuse pick-up. A locking mechanism will help ensure that the trash container remains closed and locked when not in use, preventing aroma from impacting the residential neighbors, and it will prevent people from searching through the dumpster, which will increase safety and security in the area.

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

Staff recommends approval of the reduction to a residential use to the south if additional landscaping is installed in the landscape strip along Nevada Avenue to provide an added buffer between the supper club and the residential properties. Palm trees are currently located in the landscape strip; however, additional landscaping could be placed between the palm trees to increase the visual buffer. This will also help improve the aesthetics of the area. The additional landscaping will comply with Urban Specific Policy 61 in the Clark County Comprehensive Master Plan, which discourages nuisances caused by incompatible uses when adjacent to residential areas.

Waiver of Development Standards #2

Staff also recommends approval of the reduction in parking for the retail center. The existing and previous mix of restaurants and businesses do not appear to generate significant parking demand. This may be a result of the urban location of the retail center which is accessed by pedestrians and bus patrons in addition to patrons driving vehicles. Growth Management Policy 10 in the Clark County Comprehensive Master Plan encourages new uses to locate in infill sites to create walkable districts that support mass transit. As a result, the existing parking lot capacity of 68 spaces will be sufficient to accommodate the increased number of patrons driving to the proposed supper club, and the supper club use at this infill location complies with Growth Management Policy 10 in the Comprehensive Master Plan.

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

- Provide a locking mechanism on the refuse container purchased from the local trash service provider;
- Install additional landscaping in the existing landscape strip along Nevada Avenue sufficient to improve the aesthetics and fill in the gaps between the palm trees and to provide an additional buffer to the residential properties to the south, as approved by staff;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that all non-permitted signage must be removed; 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

- 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: GOLDEN MOON ENTERTAINMENT, LTD.

CONTACT: MARC RISMAN, MARC RISMAN LAW OFFICE, 10120 S. EASTERN AVENUE, SUITE 206, HENDERSON, NV 89052

11/06/18 PC AGENDA SHEET

SETBACK
(TITLE 30)

BENEDICT DR/MESQUITE AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0729-SUNRISE TRUST:

WAIVER OF DEVELOPMENT STANDARDS to reduce the interior side setback of a patio cover in conjunction with an existing single family residence on 0.5 acres in an R-E (Rural Estates Residential) (RNP-I) Zone.

Generally located on the west side of Benedict Drive and 130 feet north of Mesquite Avenue within Sunrise Manor. CG/jor/ml (For possible action)

RELATED INFORMATION:

APN:

140-35-210-074

WAIVER OF DEVELOPMENT STANDARDS:

Reduce the interior side setback of a patio cover to zero feet where seven feet is required per Table 30.40-4 (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 481 Benedict Drive
- Site Acreage: 0.5 acres
- Number of Lots/Units: 1 lot
- Density (du/ac): 2 du/ac
- Project Type: Setback reduction for patio cover
- Number of Stories: 1 (existing residence)
- Building Height: 13 feet
- Patio Cover Height: 11 feet

Site Plan

The site plan depicts an existing one story single family residential home with a pool located in the rear yard. Per the site plan, there is an existing barbeque area and pool equipment storage approximately 27 feet south of the existing pool. The unpermitted patio cover is approximately

476 square feet and covers the inoperable barbeque equipment, and the pool equipment storage area.

Landscaping

Existing landscaping on the property will remain. No additional landscaping is a part of this request.

Elevations

Per the elevation plans, the applicant's residence has a maximum height of 13 feet and the patio cover is 11 feet high. The rear yard has a finished grade that is 8 feet below the existing residence's finished grade. There is an exterior double staircase from the residence which allows access to the rear yard. The patio cover has a pitched tiki style thatched roof with tapered wood beams and columns. The east side of the patio cover is attached to the residence, and the south side of the patio is attached to the neighboring block wall.

Floor Plans

The floor plans show inoperable barbeque equipment adjacent to a three foot wide opening to the pool equipment storage area. The pool equipment storage is approximately 128 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

Per the applicant, the patio cover was installed without a suitable permit by the previous home owner. The applicant would like to properly obtain a building permit for the patio cover, so they can proceed with appropriate permits for additional projects and improvements through the Clark County Building Department.

Prior Land Use Requests

Application Number	Request	Action	Date
VC-0521-98	A 14 foot block wall between 481 Benedict Drive and 463 Benedict Drive	Approved by PC	May 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation	R-E	Undeveloped
South, East, & West	Rural Neighborhood Preservation	R-E	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

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.

Although the patio cover has a zero foot setback to the south property line (neighboring block wall), staff finds that this interior side setback reduction may adversely impact the safety of the subject property and the abutting neighbor to the south. Due to the grade difference of the rear yard to the existing residence, the patio cover cannot be seen from the public right-of-way. However, staff has consistently recommended denial of interior side setbacks and peripheral boundary setback reductions; therefore, staff cannot support this request.

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

- No comment.

Southern Nevada Health District (SNHD) - Septic

- Applicant is advised to schedule an appointment with the SNHD Environmental Health Division at (702) 759-0660 to obtain written approval for a Tenant Improvement, so that

SNHD may review the impact of the proposed use on the existing Individual Sewage Disposal (Septic) System.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ADRIAN PLATA

CONTACT: ADRIAN PLATA, ULTRYX, 1215 S. FORT APACHE ROAD, SUITE 140, LAS VEGAS, NV 89117

DRAFT

Justification Letter

To: Clark County Comprehensive Planning Department

APN: 140-35-210-074

This justification letter is for a Waiver of Development Standards to change the side setback of 5 feet to 0' - 0", and reduce the minimum separation of the existing house and the accessory structure from 6 feet to 0' - 0" so that the owner can keep the existing structure, and get it permitted through the building department.

Thank you,

Scott E. Bensen
RD 233-P

Barb & Jim Eagan
Property Owner

WS-18-0729

11/06/18 PC AGENDA SHEET

OFFICE/WAREHOUSE
(TITLE 30)

PALM ST/OLIVE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-18-0749-MOJAVE 15, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced side setback; 2) alternative landscaping; and 3) bicycle parking.

DESIGN REVIEW for a proposed office/warehouse facility on 2.4 acres in an M-D (Designed Manufacturing) Zone in the MUD-3 Overlay District.

Generally located on the west side of Palm Street, 630 feet south of Olive Street within Sunrise Manor. CG/pb/ml (For possible action)

RELATED INFORMATION:

APN:

162-01-602-011

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce the side setback to 5 feet where 20 feet is required per Table 30.40-2 (a 75% reduction).
2.
 - a. Eliminate parking lot landscaping where landscaping per Figure 30.64-14 is required.
 - b. Eliminate landscaping adjacent to a residential use where landscaping per Figure 30.64-11 is required.
3. Reduce the number of bicycle parking spaces to zero where 4 spaces are required per Table 30.60-1 (a 100% reduction).

LAND USE PLAN:

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 2.4
- Project Type: Proposed office/warehouse facility
- Number of Stories: 1
- Building Height: 39 feet
- Square Feet: 53,136
- Parking Required/Provided: 80/83

Site Plans

The site is currently used for outside storage in conjunction with the existing office/warehouse buildings on the adjacent parcels which have shared access. The plans depict a 53,136 square foot office/warehouse building located on the southwestern portion of the site 5 feet from the southern property line. Parking areas are located on the north and east sides of the building; however, no bicycle parking is provided. The site has access to Palm Street via 2 existing driveways to the north and south of the adjacent parcel to the east.

Landscaping

No perimeter or interior parking lot trees are provided as required by Code.

Elevations

The plans depict a 39 foot high, single story building with concrete tilt-up walls painted in 3 earth tone colors with molding and a flat roof with parapet walls. Roll-up doors are located on the north side of the building.

Floor Plans

The plans depict two, 53,136 square foot office/warehouse buildings capable of being divided into 3 units.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the waivers are compatible with the existing development in the area. There is existing landscaping on the adjacent parcel to the south to buffer the existing apartments. Planted parking lot trees will reduce the number of parking spaces and interfere with the roll-up doors.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business And Design/Research Park	M-D	Office/warehouse
South	Business And Design/Research Park & Residential Urban Center (18 du/ac to 32 du/ac)	M-1 & R-4	Armored transport facility & apartments
East	Business And Design/Research Park & Residential Suburban (up to 8 du/ac)	C-2 & R-T	Restaurant/lounge & manufactured home park
West	Business And Design/Research Park	M-D	Office/warehouse

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 and 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 finds the number, nature, and intensity of the waivers of development standards are excessive and there is sufficient room on the site to construct an office/warehouse building and still meet the Code requirements. Furthermore no mitigation has been provided to reduce the impacts on the existing apartment complex on the adjacent parcel to the south. While the height, mass, and building materials proposed for the office/warehouse building are compatible with the existing development to the north and south, they are not compatible with the existing apartment complex to the south. Furthermore, approval of the design review is contingent upon approval of the waivers of development standards which staff does not support. The proposed building is set back 5 feet from a residential use where 20 feet is required and no landscaping is provided as a buffer. Therefore, staff finds the request conflicts with several policies in the Comprehensive Master Plan including Urban Specific Policy 10 which 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 and Urban Specific Policy 99 which also states in part that adjoining land uses and densities should be considered regarding appropriate buffers, setbacks, landscaping, building height, materials, lighting, and signage on-site in business and research park developments. Furthermore, while the building meets the minimum Code requirements for architectural design, it is 280 feet long. Urban Specific Policy 19 states that scale relationships between buildings and adjacent developments should be carefully considered. Varying building height, breaking-up the mass of a building, and shifting building placement can provide appropriate transitions between differing building scales and intensities. Building heights should be transitioned so any structure adjacent to a residential use is of similar height. Building heights should also vary within a development with lower height buildings adjacent to surrounding residential uses to reduce the perceived mass of buildings. Staff finds the building design in conjunction with the waivers of development standards conflicts with this policy. Therefore, staff cannot support this request.

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

- Drainage study and compliance;
- Driveways to be per County standard 222.1.

Building Department - Fire Prevention

- Applicant is advised that access must be provided to all points of the building within 250 feet for sprinklered buildings.

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 #0547-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: RENE ROLIN

CONTACT: RENE ROLIN, MOMENI ENGINEERS, 3110 S. DURANGO DRIVE, SUITE 205, LAS VEGAS, NV 89117

PARKING LOT
(TITLE 30)

DALHART AVE/PARK ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-18-400202 (WS-0375-17)-JRG LIVING TRUST & GUTIERREZ JOSE & RENEATR:

WAIVERS OF DEVELOPMENT STANDARDS FIRST EXPENSION OF TIME for the following: 1) parking lot landscaping; 2) street landscaping; 3) reduce setback for a proposed structure (decorative fence) and existing structure (chain-link fence), 4) reduce setback from the right-of-way for a proposed structure (decorative fence) and existing structure (chain-link fence); 5) on-site paving; 6) trash enclosure; and 7) off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving along streets).

DESIGN REVIEW for a proposed parking lot on 0.9 acres in an M-D (Designed Manufacturing) Zone in the MUD-2 Overlay District.

Generally located on the east side of Dalhart Avenue and the south side of Park Street within Sunrise Manor. CG/sd/ml (For possible action)

RELATED INFORMATION:

APN:

161-07-104-002

WAIVERS OF DEVELOPMENT STANDARDS:

1. Provide no parking lot landscaping where landscaping is required per Figure 30.64-14.
2.
 - a. Permit alternative landscaping along Dalhart Avenue where landscaping and screening per Figure 30.63-13 is required.
 - b. Permit alternative landscaping along Park Street where landscaping and screening per Figure 30.64-13 is required.
3.
 - a. Reduce the front yard setback for a proposed structure (decorative fence) to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
 - b. Reduce the side street (corner) setback for a proposed structure (decorative fence) to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
 - c. Reduce the front yard setback for an existing structure (chain-link fence) to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
 - d. Reduce the side street (corner) setback for an existing structure (chain-link fence) to zero feet where 20 feet is required per Table 30.40-5 (a 100% reduction).
4.
 - a. Reduce the setback from the right-of-way (Dalhart Avenue) for a proposed structure (decorative fence) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).

- b. Reduce the setback from the right-of-way (Park Street) for a proposed structure (decorative fence) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
 - c. Reduce the setback from the right-of-way (Dalhart Avenue) for an existing structure (chain-link fence) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
 - d. Reduce the setback from the right-of-way (Park Street) for an existing structure (chain-link fence) to zero feet where 10 feet is required per Section 30.56.040 (a 100% reduction).
5. Provide no paving where paving is required for all parking areas per Section 30.60.020.
 6. Provide no trash enclosure where a trash enclosure is required per Section 30.56.120.
 7.
 - a. Waive off-site improvements for Dalhart Avenue (curb, gutter, streetlights, sidewalk, and partial paving) where required per Section 30.52.040.
 - b. Waive off-site improvements for Park Street (curb, gutter, streetlights, sidewalk, and partial paving) where required per Section 30.52.040.

LAND USE PLAN:

SUNRISE MANOR - BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 0.9
- Project Type: Parking lot

Site Plans & Request

The plans for the proposed parking lot depict 54 parking spaces that will be striped and paved with recycled asphalt. Access to the project site will be granted via a proposed concrete driveway entrance along Park Street. According to the applicant, the principal use of the property will be utilized for overflow parking associated with the vehicle repair and body shops within the surrounding area. The lot will not be utilized for the storage of outside materials. Although each of the automobile businesses have some limited parking associated with their permitted locations, it is not sufficient to accommodate employees as well as customers. The applicant states by providing some controlled and low use overflow parking for these businesses, the parking lot will provide relief to a long standing problem with indiscriminate parking within the public rights-of-way.

Landscaping

The approved plan depicts a 6 foot high decorative wrought iron fence that will replace an existing chain-link fence located along the north and west property lines, adjacent to Dalhart Avenue and Park Street, respectively. Two, 15 gallon mesquite trees will be planted at the northeast, northwest, and southwest corners of the project site within rock defined plant beds.

Elevations

The plan (photographs) depicts a proposed 6 foot high decorative wrought iron fence that will replace an existing chain-link fence located along the north property line (Park Street) and the west property line (Dalhart Avenue). An existing 6 foot high wrought iron fence is located along the south property line, which was installed by Clark County, adjacent to the existing drainage channel. An existing chain-link fence, ranging in height from 6 feet to 7 feet, is located along Park Street and Dalhart Avenue.

Signage

Signage is not a part of this application.

Previous Conditions of Approval

Listed below are the approved conditions for WS-0375-17:

Current Planning

- 1 year to complete with any extension of time to be a public hearing;
- On-site paving waiver subject to approval by the Clark County Department of Air Quality for the proposed paving alternative, if no alternative is approved, on-site paving will be required;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that outside storage of junked vehicles is prohibited; approval of this application does not constitute or imply approval of any other County issued permit, license or approval; that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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

- Execute a Restrictive Covenant Agreement (deed restrictions);
- Right-of-way dedication to include the spandrel at the intersection of Park Street and Dalhart Avenue.
- Applicant is advised that technical studies may be required with future development.

Applicant's Justification

The original application (WS-0375-17) was approved by the Board of County Commissioners in July 2017 with conditions, including the condition of "1 year to complete with any extension of time by public hearing." According to the applicant's letter they are the new owners of the parcel and were not told of such time limits to commence, complete, or review as a public hearing as outlined in Notice of Final Action (NOFA).

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0375-17	Waived parking lot landscaping; street landscaping; reduced setbacks for a proposed structure (decorative fence) and existing structure (chain-link fence); reduced setback from the right-of-way for a proposed structure (decorative fence) and existing structure (chain-link fence); on-site paving; trash enclosure; and off-site improvements (curbs, gutters, sidewalks, streetlights, and partial paving along streets) with a design review for a parking lot	Approved by BCC	July 2017

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	H-2, M-1, M-D & R-E	Vehicle repair facility, single family residence, & manufactured office trailer
South	Public Facilities and Business and Design/Research Park	H-2	Drainage channel
East	Public Facilities and Business and Design/Research Park	H-2	Drainage channel
West	Public Facilities and Business and Design/Research Park	H-2	Vehicle repair facility

Clark County Public Response Office (CCPRO)

CE-18-11419 is an active violation for junk and/or inoperable vehicles stored on the subject property.

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.

Currently, there is an active Code violation related to junk or inoperable vehicles parked on the subject site (CE-18-11419). The code enforcement inspector has noted that there are still

inoperable and/or junk vehicles parked on an unapproved surface along the eastern portion of the parcel and that the site is still in violation.

However, the parcel has been sold to the new owner's (applicants) who were unaware of any conditions pertaining to time limits to complete the parking lot and the previous owner's lack of compliance with County codes. Therefore, staff can agree to an extension of time to complete the parking lot and bring the site into compliance.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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 July 5, 2019 to complete with any extension of time to be a public hearing;
- 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: JOSE GUITIERREZ

CONTACT: JOSE GUTIERREZ, 9055 LINDON OAK STREET, LAS VEGAS, NV 89178