



Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave

Las Vegas, NV 89122

June 15, 2023

6:00pm

AGENDA

Note:

- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Sam Crunkilton at wwtabsecretary@gmail.com.
 - o Supporting material is/will also available at the Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155.
 - o Supporting material is/will be available on the County's website at specific Board/Council website.

Board/Council Members: Amy Beaulieu, Chairperson
 Geraldine Ramirez-, Vice Chairperson
 Christopher Fobes
 Greg Konkin
 Anita Toso

Secretary: Sam Crunkilton, 702-854-0878, wwtabsecretary@gmail.com
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

County Liaison(s): Blanca Vazquez, 702-455-8531, bva@clarkcountynv.gov
 Business Address: Clark County Department of Administrative Services, 500 S. Grand Central Parkway, 6th Floor, Las Vegas, Nevada 89155

- I. Call to Order, Invocation, Pledge of Allegiance, and Roll Call
- II. Public Comment- This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable,

BOARD OF COUNTY COMMISSIONERS
 JAMES B. GIBSON, Chair
 JUSTIN C. JONES – MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
 KEVIN SCHILLER County Manager

clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

- III. Approval of Minutes for June 1, 2023. (For possible action)
- IV. Approval of the Agenda for June 15, 2023 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning
06/20/23 PC
 - 1. **UC-23-0276-HABIBI DAVOOD:**
USE PERMITS for the following: **1)** allow an accessory structure to exceed one-half of the footprint of the principal building; **2)** allow an accessory structure not architecturally compatible with the principal building; and **3)** waive design standards.
WAIVER OF DEVELOPMENT STANDARDS to increase accessory structure height on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Dodd Street, 300 feet northwest of Nevada Avenue within Whitney. JG/mh/syp (For possible action)
 - 2. **WS-23-0253-AFFORDABLE TREE SERVICE INC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** landscaping; **2)** approach distance; and **3)** throat depth.
DESIGN REVIEW for a plant nursery on 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of McGill Avenue and approximately 800 feet west of Cherry Street within Whitney. JG/sd/syp (For possible action)
- VII. General Business
- VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No discussion, action, or vote may be taken on this agenda item. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.
- IX. Next Meeting Date: June 29, 2023.
- X. Adjournment.

POSTING LOCATIONS: This meeting was legally noticed and posted at the following locations:
Whitney Community Center-5712 Missouri Ave
<https://notice.nv.gov>

BOARD OF COUNTY COMMISSIONERS
JAMES B. GIBSON, Chair
JUSTIN C. JONES – MARILYN KIRKPATRICK – WILLIAM MCCURDY II – ROSS MILLER – MICHAEL NAFT – TICK SEGERBLOM
KEVIN SCHILLER County Manager



Whitney Town Advisory Board

June 1, 2023

MINUTES

Board Members: Amy Beaulieu, Chairperson - Present
Geraldine Ramirez-, Vice Chairperson - Excused
Christopher Fobes - Present
Greg Konkin - Present
Anita Toso - Present

Secretary: Sam Crunkilton 702-854-0878 wwtabsecretary@gmail.com

Town Liaison: Blanca Vazquez, 702-455-8531, bva@clarkcountynv.gov

- I. Call to Order, Pledge of Allegiance, Roll Call, (see above) County Staff Introductions:
Blanca Vazquez, Town Liaison & Sam Crunkilton, Secretary; The meeting was called to order at 6:01 p.m.
- II. Public Comment
None
- III. Approval of March 30, 2023 Minutes
Moved by: Beaulieu with one correction - Ramirez called 3/30 meeting to order
Approve
Vote: 4-0 Unanimous
- IV. Approval of the Agenda for June 1, 2023
Moved by: Beaulieu
Approve
Vote: 4-0 Unanimous
- V. Informational Items
None
- VI. Planning & Zoning:

06/21/23 BCC

1. ET-23-400043 (WS-20-0165)-GENERAL GIFTS, INC.:

WAIVER OF DEVELOPMENT STANDARDS FIRST EXTENSION OF TIME for alternative driveway geometrics.

DESIGN REVIEW for a proposed office/warehouse facility on 4.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of Emerald Avenue, 1,220 feet east of Stephanie Street within Whitney. JG/tpd/syp (For possible action)

Approved with staff conditions

Moved by Toso

Vote 4-0

VII. General Business

Great work by staff on the success of the water park opening

VIII. Public Comment

None

VIII. Next Meeting Date

The next regular meeting will be June 15, 2023

IX. Adjournment

The meeting was adjourned at 6:14 p.m.

DRAFT



AGENDA LOG AMENDMENT

Department of Comprehensive Planning

Application Number: ET-23-400056

Property Owner or Subdivision Name: Davood Habibi

Public Hearing: Yes No

Staff Report already created: Yes No

Delete this application from the: **TAB/CAC** 6/1/23 **PC** 6/20/23 **BCC** _____

Add this application to the: **TAB/CAC** _____ **PC** _____ **BCC** _____

Change(s) to be made:

- Held no date specific
 - Withdrawn
 - No change to meeting(s) _____
 - Amend Write-up
 - Renotify
 - Make a public hearing (Radius: _____)
 - Rescheduling
 - Other: _____
 - Additional fees – \$AMOUNT OF ADDITIONAL FEES: _____
 - Refund
 - 80%
 - 100% (please include justification for full refund below)
- AMOUNT OF REFUNDS\$: \$475

Reason for Change: Applicant has revised originally approved plans, requiring a new Use Permit and Waiver of Development Standards instead of an Extension of Time. Withdrawn with a 100% refund.

Change initiated by: MH Date: 5/4/23
 Change authorized by: NM Date: 5/4/23
 Change processed by: ds Date: 5/4/23
 Follow up assigned to: _____ Instructions: _____

Parcel Number(s): 161-27-210-010

Town Board(s): Whitney



LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE (ZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) _____ (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>23-0276</u> DATE FILED: <u>5-15-23</u> PLANNER ASSIGNED: <u>MH</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>6/24/23</u> PC MEETING DATE: <u>7/18/23</u> BCC MEETING DATE: <u>N/A</u> FEE: <u>51,150</u>
	PROPERTY OWNER NAME: <u>DAVOD habibi</u> ADDRESS: <u>5930 Dodd st</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: _____ CELL: <u>702 501 9110</u> E-MAIL: <u>habibidavood1362@gmail.com</u>
	APPLICANT NAME: <u>same as Property owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____
CORRESPONDENT NAME: <u>same as Property owner</u> ADDRESS: _____ CITY: _____ STATE: _____ ZIP: _____ TELEPHONE: _____ CELL: _____ E-MAIL: _____ REF CONTACT ID #: _____	

ASSESSOR'S PARCEL NUMBER(S): 161-27-210-010
 PROPERTY ADDRESS and/or CROSS STREETS: 5930 Dodd st Las Vegas NV 89122
 PROJECT DESCRIPTION: Expanding detached garage Approved by UC-22-0087

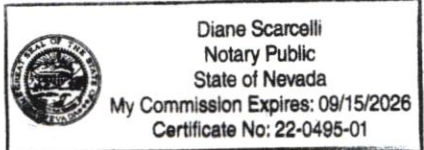
(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

[Signature] DAVOD HABIBI - DAVID HABIBI
 Property Owner (Signature)* Property Owner (Print)

STATE OF Nevada
 COUNTY OF Clark

SUBSCRIBED AND SWORN BEFORE ME ON 5-4-23 (DATE)

By David Habibi
 NOTARY PUBLIC: [Signature]



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

05-04-2023

JUSTIFICATION LETTER

TO ZONING DEPARTMENT,

WE CURRENTLY HAVE A ZONING PERMIT WITH PERMIT NUMBER UC-220087. WE ACCIDENTLY GAVE THE WRONG SIZES TO ZONING DEPARTMENT. OUR ARCHITECT MADE A MISCALCULATION AND WE ARE NOW REQUESTING A ZONING PERMIT WITH THE CORRECT SIZE OF 17FT HEIGHT. WE HAVE A PREFAB GARAGE WITH ENGINEERING PLAN AND CALCULATION OF 30X50 WITH 17FT HEIGHT. THE SIZE IS SLIGHTLY BIGGER THAN PREVIOUS PERMIT WE HAD AND I APPLIED ON TIME FOR THE EXTENTION OF TIME AND I MEET ALL THE SETBACKS STILL.

THANK YOU

DAVOOD HABIBI





LAND USE APPLICATION

DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

APPLICATION TYPE <input type="checkbox"/> TEXT AMENDMENT (TA) <input type="checkbox"/> ZONE CHANGE <input type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input type="checkbox"/> DESIGN REVIEW (DR) <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC) (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET) (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR) (ORIGINAL APPLICATION #)	STAFF APP. NUMBER: <u>WS-23-0253</u> DATE FILED: <u>5/9/23</u> PLANNER ASSIGNED: <u>SWD</u> TAB/CAC: <u>Whitney</u> TAB/CAC DATE: <u>6/15/23</u> PC MEETING DATE: <u>7/4/23 (6-20-23)</u> BCC MEETING DATE: <u> </u> FEE: <u>\$ 1,150</u>
	PROPERTY OWNER NAME: <u>Eric and Zaaida Callahan</u> ADDRESS: <u>6412 McGill Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>702.348.7067</u> CELL: <u>702.683.8443</u> E-MAIL: <u>affordabletreeservice@hotmail.com</u>
	APPLICANT NAME: <u>Zaaida Callahan</u> ADDRESS: <u>6412 McGill Ave</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89122</u> TELEPHONE: <u>702.348.7067</u> CELL: <u> </u> E-MAIL: <u>same as above</u> REF CONTACT ID #: <u> </u>
CORRESPONDENT NAME: <u>Ashlee Ahumada - Civil Support Services</u> ADDRESS: <u>10005 Barbellino Ct</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89178</u> TELEPHONE: <u>702.782.7987</u> CELL: <u> </u> E-MAIL: <u>civilssiv@gmail.com</u> REF CONTACT ID #: <u> </u>	

ASSESSOR'S PARCEL NUMBER(S): 16127610010

PROPERTY ADDRESS and/or CROSS STREETS: 6412 McGill Ave, Las Vegas, NV 89122

PROJECT DESCRIPTION: change of use permit

(I, We) the undersigned swear and say that (I am, We are) the owner(s) of record on the Tax Rolls of the property involved in this application, or (am, are) otherwise qualified to initiate this application under Clark County Code; that the information on the attached legal description, all plans, and drawings attached hereto, and all the statements and answers contained herein are in all respects true and correct to the best of my knowledge and belief, and the undersigned understands that this application must be complete and accurate before a hearing can be conducted. (I, We) also authorize the Clark County Comprehensive Planning Department, or its designee, to enter the premises and to install any required signs on said property for the purpose of advising the public of the proposed application.

Zaaida Callahan
 Property Owner (Signature)* Zaaida Callahan
 Property Owner (Print)

STATE OF NEVADA
 COUNTY OF CLARK
 SUBSCRIBED AND SWORN BEFORE ME ON March 2, 2022 (DATE)
 By Zaaida Callahan
 NOTARY PUBLIC: Heather Burrows



*NOTE: Corporate declaration of authority (or equivalent), power of attorney, or signature documentation is required if the applicant and/or property owner is a corporation, partnership, trust, or provides signature in a representative capacity.

JUSTIFICATION LETTER
FOR A
DESIGN REVIEW OF THE EXISTING
AFFORDABLE TREE SERVICE STORAGE AND EQUIPMENT YARD
AND WAIVER OF THREE DEVELOPMENT STANDARDS

APN 161-27-610-010, 1.21 ACRES

THIS APPLICATION IS REQUIRED BY THE CLARK COUNTY BUSINESS LICENSE DEPARTMENT IN ORDER TO ALLOW THE OWNERS OF AFFORDABLE TREE SERVICE, INC. THE RIGHT TO TRANSFER THE BUSINESS LICENSE FROM THEIR RESIDENCE TO THIS PROPERTY.

AFFORDABLE TREE SERVICE, INC. HAS BEEN IN BUSINESS SINCE 2004. THEY ACQUIRED THIS PROPERTY AND HAVE BEEN WORKING FROM THIS YARD SINCE THEN. THERE ARE STANDARD OFFSITE STREET IMPROVEMENTS ALONG MCGILL STREET.

PROPOSED IMPROVEMENTS INCLUDE THE INSTALLATION OF A CLARK COUNTY STANDARD 32' COMMERCIAL DRIVEWAY AND A 6" THICK CONCRETE SLAB FOR ACCESS AND COMPANY VEHICLE PARKING.

ADJACENT PROPERTIES TO THE NORTH AND EAST ARE ZONED M-1 LIGHT MANUFACTURING, AS IS THIS PROPERTY. THE ADJACENT FIVE PROPERTIES TO THE WEST ARE ZONED R-T, MANUFACTURED HOME RESIDENTIAL.

THERE IS A 6' HIGH PERIMETER BLOCK WALL ALONG THE SOUTH, EAST AND WEST PROPERTY LINES. THERE IS A 10' HIGH BLOCK WALL ALONG THE NORTH PROPERTY LINE.

THE THREE WAIVER OF DEVELOPMENT STANDARDS ARE AS FOLLOWS:

1. WAIVE ALL ONSITE LANDSCAPING.
2. WAIVE 150' MINIMUM APPROACH SIDE DISTANCE ON DRAWING NO. 222.1 TO ALLOW 113.12'.
3. WAIVE 25' THROAT DEPTH REQUIREMENT ON DRAWING NO. 222.1 AND ALLOW 0.00'.

ONSITE LANDSCAPING IS NOT NECESSARY DUE TO THE FACT THAT THIS PARCEL IS ONLY USED FOR STORAGE OF COMPANY EQUIPMENT AND MATERIALS. ATS HAS WORKED FROM THIS SITE FOR OVER 18 YEARS WITH NO ISSUES FROM NEIGHBORS REGARDING LANDSCAPING. THE PUBLIC DOES NOT ENTER THIS SITE. ONLY EMPLOYEES AND COMPANY VEHICLES.

ATS JUSTIFICATION LETTER (PAGE 2)

THE MINIMUM 150' APPROACH SIDE SEPARATION AS REQUIRED BY CLARK COUNTY DRAWING NO. 222.1 IS NOT ATTAINABLE. THE ATS DRIVEWAY WAS IN EXISTENCE PRIOR TO THE CONSTRUCTION OF LOS PINOS STREET TO THE WEST. THE EXISTING SEPARATION IS 113.12' AND HAS NOT CREATED ANY HAZARD TO THE SAFETY AND WELFARE OF THE GENERAL PUBLIC. COMPANY VEHICLES LEAVE RANDOMLY IN THE EARLY MORNING AND RETURN AT DIFFERENT HOURS IN THE AFTERNOON. THERE IS NO BACKUP OF TRAFFIC OR REQUIREMENT FOR QUEUING. THE COMPANY EQUIPMENT LEAVES AND RETURNS AT STAGGERED TIMES.

THE 25' DEEP THROAT DEPTH REQUIRED PER CLARK COUNTY DRAWING NO. 222.1 IS REQUESTED TO BE 0'. THE COUNTY REQUIREMENT IS FOR ENTRY IN PUBLIC PARKING LOTS OR BUSINESSES THAT REQUIRE ENTRY BY THE GENERAL PUBLIC. NEITHER OF THESE CONDITIONS APPLIES TO THE ATS SITE. THE EXISTING ENTRY GATE WILL BE MOVED NORTH 15' TO MATCH THE END OF THE 25' RADIUS RETURN REQUIRED BY CLARK COUNTY PUBLIC WORKS. THE IMPOSITION OF THE ADDITIONAL 25' THROAT DEPTH IS AN UNNECESSARY IMPROVEMENT WHICH DIMINISHES ATS' ABILITY TO USE THEIR TOTAL SITE. THIS DETAIL IS MEANT TO BE USED FOR PUBLIC PARKING LOTS, NOT A SINGLE USER COMPANY STORAGE LOT.

WE RESPECTFULLY REQUEST APPROVAL OF THIS DESIGN REVIEW AND THREE WAIVER OF DEVELOPMENT STANDARDS.

A handwritten signature in black ink, appearing to read 'Ernest Freggiaro', written in a cursive style.

ERNEST FREGGIARO, P.E.
REPRESENTING AFFORDABLE TREE SERVICE, INC.

**ATTACHMENT A
WHITNEY TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:00 P.M., JUNE 15, 2023**

06/20/23 PC

1. **UC-23-0276-HABIBI DAVOOD:**
USE PERMITS for the following: 1) allow an accessory structure to exceed one-half of the footprint of the principal building; 2) allow an accessory structure not architecturally compatible with the principal building; and 3) waive design standards.
WAIVER OF DEVELOPMENT STANDARDS to increase accessory structure height on 0.2 acres in an R-2 (Medium Density Residential) Zone. Generally located on the east side of Dodd Street, 300 feet northwest of Nevada Avenue within Whitney. JG/mh/syp (For possible action)

2. **WS-23-0253-AFFORDABLE TREE SERVICE INC:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) approach distance; and 3) throat depth.
DESIGN REVIEW for a plant nursery on 1.2 acres in an M-1 (Light Manufacturing) Zone. Generally located on the north side of McGill Avenue and approximately 800 feet west of Cherry Street within Whitney. JG/sd/syp (For possible action)

DETACHED GARAGE
(TITLE 30)

DODD ST/NEVADA AVE

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-23-0276-HABIBI DAVOOD:

USE PERMITS for the following: **1)** allow an accessory structure to exceed one-half of the footprint of the principal building; **2)** allow an accessory structure not architecturally compatible with the principal building; and **3)** waive design standards.
WAIVER OF DEVELOPMENT STANDARDS to increase accessory structure height on 0.2 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the east side of Dodd Street, 300 feet northwest of Nevada Avenue within Whitney. JG/mh/syp (For possible action)

RELATED INFORMATION:

APN:
161-27-210-010

USE PERMITS:

1. Increase the area of a proposed accessory structure (metal building) to 1,500 square feet where a maximum area of 483 square feet (50% of the footprint of the principal structure) is permitted per Table 30.44-1 (a 211% increase).
2. Allow an accessory structure (metal building) not architecturally compatible with the principal building where required per Table 30.44-1.
3. Allow non-decorative metal siding for an accessory structure (metal building) where not permitted per Table 30.56-2A.

WAIVER OF DEVELOPMENT STANDARDS:

To increase the accessory structure height to 17 feet where a maximum accessory structure height of 14 feet is permitted per Table 30.40-2 (a 21% increase).

LAND USE PLAN:

WHITNEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 5930 Dodd Street
- Site Acreage: 0.2
- Project Type: Accessory structure

- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 1,500

Site Plan

The site plan shows an existing 966 square foot duplex with a proposed 1,500 square foot metal building (garage) in the rear yard. The plans indicate that the proposed building will be set back 5 feet from each of the side property lines, and 5 feet from the rear property line. A 6 foot high fence is located along the north and south sides of the site with a 6 foot high block wall in the rear yard. A 14 foot wide metal gate is located outside of the 20 foot front setback and a 4 foot high metal fence with block columns is located in the front yard. The site is accessed from Dodd Street.

Landscaping

No changes are proposed or required as part of this application.

Elevations

The plans depict a detached garage that will be up to 17 feet in height, 30 feet wide, 50 feet long with non-decorative metal siding, 1 roll-up door, and has a pitched roofline.

Floor Plan

The floor plan shows a 1,500 square foot metal building with an open floor plan.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that a previously approved application for a detached garage had incorrect dimensions and height due to a miscalculation. Like the previous application, this proposed detached garage is for the storage of personal vehicles and other items.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-22-0087	Use permit for a detached garage	Approved by PC	April 2022
UC-0960-08	Overhead powerlines (subject parcel was included in the application)	Approved by PC	November 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North & South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Undeveloped & single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Corridor Mixed-Use (less than 18 du/ac)	C-2	Vehicle repair & paint and body shop

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive 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 Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff reviews use permit requests to ensure compatibility with the existing and planned development in the area. The proposed metal building is not to scale with the size of the lot and is not common in the surrounding area. Although the metal building is painted a neutral color and meets setbacks, the applicant has not proposed any mitigation measures to lessen the impact of the metal building on neighboring properties. Staff finds the metal building is not appropriate based on the size and scale of the structure in relation to the surrounding area; therefore, staff cannot support the request.

Waivers of Development Standards

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

The applicant has proposed an increase in the height of the accessory structure to 17 feet, while the maximum height for accessory structures is 14 feet in the R-2 zoning district. Staff typically does not support accessory structures that exceed the maximum height to ensure compatibility with existing and planned surrounding uses. Staff finds that the increase in height of the accessory structure to 17 feet, where 14 feet is the maximum, will have the potential to be a negative impact on the surrounding properties; therefore, staff recommends denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- 1 year to complete the building permit and inspection process with any extension of time to be a public hearing.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: DAVOOD HABIBI

CONTACT: DAVOOD HABIBI, 5930 DODD ST, LAS VEGAS, NV 89122

PLANT NURSERY
(TITLE 30)

MCGILL AVE/CHERRY ST

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
WS-23-0253-AFFORDABLE TREE SERVICE INC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) landscaping; 2) approach distance; and 3) throat depth.

DESIGN REVIEW for a plant nursery on 1.2 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the north side of McGill Avenue and approximately 800 feet west of Cherry Street within Whitney. JG/sd/syp (For possible action)

RELATED INFORMATION:

APN:
161-27-610-010

WAIVERS OF DEVELOPMENT STANDARDS:

1. Waive landscaping adjacent to a less intense use where landscaping per Figure 30.64-11 is required (a 100% reduction).
2. Reduce the minimum approach distance to 113 feet where 125 feet is the standard per Uniform Design Standard Drawings 222.1 (a 10% reduction).
3. Reduce throat depth to zero feet where 25 feet is the standard per Uniform Design Standard Drawing 222.1 (a 100% reduction).

LAND USE PLAN:

WHITNEY - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 6430 McGill Avenue
- Site Acreage: 1.2
- Project Type: Plant nursery
- Parking Required/Provided: 9/14

Site Plans

A proposed plant nursery with outdoor storage area is shown on the plans for a property located in Whitney. The majority of the parcel contains landscaping plants and trees to be stored outside along the eastern property line per the site plan. There is an existing 6 foot high block wall along

the south, east, and west property lines, and a 10 foot high block wall along the northern property line. The 9 existing parking spaces are located directly behind the entrance for staff parking, and is adjacent to the ingress/egress from McGill Avenue. There is an existing shed located at the southwest corner of the property with a carport located along the western property line and other accessory structures. Ingress and egress is from McGill Avenue through an existing driveway and the plans show an attached sidewalk. On-site paving will include the areas designated for parking and storage of plant materials stored on-site.

Landscaping

Landscaping is shown along the street behind the attached sidewalk. The applicant is requesting to waive on-site landscaping, including required landscaping adjacent to a less intensive use along the western property line. There is existing landscaping along the front portion of the property behind an existing sidewalk.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states this location will be utilized by a landscape company for the storage of company equipment and materials. The applicant has been working at this location with little to no issues from adjacent property owners. The site is not open to the public and is for employees only.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0056-77	20 story 575 room addition to resort hotel	Approved by PC	July 1977

Surrounding Land Use

	Planned Land Use Category		Zoning District	Existing Land Use
North	Mid-Intensity Neighborhood (up to 8 du/ac)	Suburban	M-1	Industrial
South	Mid-Intensity Neighborhood (up to 8 du/ac)	Suburban	RUD	Single family residential
East	Mid-Intensity Neighborhood (up to 8 du/ac)	Suburban	M-1	Plant nursery
West	Mid-Intensity Neighborhood (up to 8 du/ac)	Suburban	R-T	Single family residential

STANDARDS FOR APPROVAL:

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

Analysis

Comprehensive Planning

Waivers of Development Standards

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

Waiver of Development Standards #1

A plant nursery is a conditional use in an M-1 district subject to outside storage regulations established in Title 30. The applicant is not proposing to provide any additional landscaping with this project. The existing parcel is void of any permanent on-site landscaping that will buffer these activities. Title 30 states that any outside storage in an M-1 zoned property must be screened from any right-of-way and from a less intense use if not by a screen wall, then all outside storage shall meet the setback requirements for this district. A review of the site plan and aerial photographs indicate that there are locations on the site where landscaping could be provided to better screen the adjacent residential uses from a commercial use that will use this parcel for outside storage. Staff cannot support this waiver for elimination of required landscaping adjacent to a less intensive use of existing residential homes.

Design Review

While the use for outside storage is often associated with an M-1 zone property and the proposed use is appropriate for this location, staff cannot support the requested waiver to eliminate required landscaping to a less intensive use; therefore, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standard #2

Staff has no objection to the reduction in the approach distance for the McGill Avenue commercial driveway. The site will see minimal use as it will only be accessed by employees to load materials. Although the departure and approach distance does not comply with the minimum standards, staff finds the location allows vehicles to safely access the site. However, since Planning is recommending denial of the application, staff cannot support this waiver.

Waiver of Development Standard #3

Staff has no objection to the reduction in throat depth for the McGill Avenue driveway. Although the reduction in throat depth does not comply with the minimum standards, the applicant has helped to mitigate the potential conflict by installing a curb return driveway and will leave the gate open during business hours. However, since Planning is recommending denial of the application, staff cannot support this waiver.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works - Development Review

- Right-of-way dedication to include 10 feet for McGill Avenue.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: ZAAIDA CALLAHAN

CONTACT: CIVIL SUPPORT SERVICES, LLC, 10005 BARBELLINO CT, LAS VEGAS, NV 89178