



# Spring Valley Town Advisory Board

Desert Breeze Community Center

8275 W. Spring Mountain Rd

Las Vegas, NV 89117

December 10, 2019

6:30 p.m.

## AGENDA

**NOTE:**

- Items on the agenda may be taken out of order.
- The Board/Council may combine two or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to Board of County Commissioners Zoning Commission (BCC) or Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With forty-eight (48) hour advance request, a sign language interpreter, or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling 702-455-3530 or TDD 702-385-7486 or Relay Nevada toll free 800-326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Carmen Hayes at 702-371-7991 and is/will be available at the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

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Board Members:

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

Yvette Williams – Vice Chair  
Catherine Godges

Secretary:

Carmen Hayes 702-371-7991 [chayes70@yahoo.com](mailto:chayes70@yahoo.com)

County Liaison:

Mike Shannon 702-455-8338 [mds@clarkcountynv.gov](mailto:mds@clarkcountynv.gov)

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- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions
- II. Public Comment - This is a period devoted to comments by the general public about items on this agenda. No discussion, action, or vote may be taken on this agenda item. You will be afforded the opportunity to speak on individual Public Hearing Items at the time they are presented. If you wish to speak to the Board/Council about items within its jurisdiction but not appearing on this agenda, you must wait until the "Comments by the General Public" period listed at the end of this agenda. Comments will be limited to three minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chair or the Board/Council by majority vote.
- III. Approval of Minutes November 26, 2019 (For possible action)

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

IV. Approval of Agenda for December 10, 2019 and Hold, Combine or Delete Any Items (For possible action)

V. Informational Items

1. Announcements of upcoming neighborhood meetings and County or community meetings and events. (for discussion)
  - Open House regarding the Enterprise Land Use Plan Update is scheduled for Thursday January 9, 2020 from 4:00pm – 7:00pm at the Windmill Library, 7060 West Windmill Lane.

VI. Planning & Zoning

1. **VS-19-0887-LONG LIFE PARTNERS LLC:**  
**VACATE AND ABANDON** easements of interest to Clark County located between Tropicana Avenue and Meeks Bay Avenue, and between Grand Canyon Drive and Tee Pee Lane and a portion of a right-of-way being Tropicana Avenue located between Grand Canyon Drive and Tee Pee Lane within Spring Valley (description on file). JJ/jt/jd (For possible action) **01/07/20 PC**
2. **TM-19-500230-HIGH GROUND, LLC:**  
**TENTATIVE MAP** consisting of 85 single family residential lots and common lots on 11.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southeast corner of Patrick Lane and Hualapai Way within Spring Valley. JJ/sd/jd (For possible action) **12/18/19 BCC**
3. **UC-19-0872-HIGH GROUND, LLC:**  
**USE PERMIT** for single family attached dwellings.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce lot sizes; **2)** increase in wall height; **3)** modify setback for access control gates; and **4)** street intersection off-set.  
**DESIGN REVIEWS** for the following: **1)** increased grade; **2)** an attached and detached single family residential development on 11.8 acres in an R-2 (Medium Density Residential) Zone. Generally located on the southeast corner of Patrick Lane and Hualapai Way within Spring Valley. JJ/sd/jd (For possible action) **12/18/19 BCC**
4. **NZC-19-0848-T E G SPANISH RIDGE LLC:**  
**ZONE CHANGE** to reclassify 13.0 acres from C-P (Office and Professional) Zone to an M-D (Designed Manufacturing) Zone.  
**USE PERMIT** to waive the required intense landscape buffer for a distribution center.  
**WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** office/warehouse building; and **2)** distribution center on 13.0 acres in the CMA Design Overlay District. Generally located on the south side of Hacienda Avenue and the west side of Riley Street within Spring Valley (description on file). JJ/md/ja (For possible action) **12/17/19 PC**

5. **NZC-19-0886-LONG LIFE PARTNERS, LLC:**  
**ZONE CHANGE** to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-5 (Apartment Residential) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; and 2) reduce throat depth.  
**DESIGN REVIEW** for a multiple family residential development. Generally located on the south side of Tropicana Avenue, 300 feet east of Grand Canyon Drive within Spring Valley (description on file). JJ/jt/jd (For possible action) **01/07/20 PC**
  
6. **PA-19-700003-DECATUR 1.25 AC HARRIS--J L #6, LLC:**  
**PLAN AMENDMENT** to redesignate the existing land use category from BDRP (Business and Design/Research Park) to CG (General Commercial) on 1.2 acres. Generally located on the west side Decatur Boulevard, 300 feet south of Post Road in Spring Valley. MN/pd (For possible action) **01/07/20 PC**
  
7. **WS-19-0893-F T H NEVADA INC:**  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; and 2) reduce throat depth.  
**DESIGN REVIEW** for a restaurant and food processing facility on 2.0 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District. Generally located on the south side of Badura Avenue and the east side of Montessouri Street within Spring Valley. MN/jt/jd (For possible action) **01/07/20 PC**
  
8. **ZC-19-0892-SULLIVAN SQUARE, LLC:**  
**ZONE CHANGE** to reclassify 15.2 acres from R-E (Rural Estates Residential) Zone, C-2 (General Commercial) Zone, and M-D (Designed Manufacturing) Zone to C-2 (General Commercial) Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) increase height of exterior fixtures (luminaries) mounted on a building; 3) reduce landscaping; and 4) alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) health club with accessory commercial uses. Generally located on the east side of Durango Drive and the north side of Rafael Rivera Way within Spring Valley (description on file). MN/jt/jd (For possible action) **01/08/20 BCC**

VII. General Business

1. Census 2020 presentation, including employment opportunities.

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

IX. Next Meeting Date: January 14, 2020

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

## X. Adjournment

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

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

Helen Meyer Community Center, 4525 New Forest Dr.

Spring Valley Library, 4280 S. Jones

West Flamingo Senior Center, 6255 W. Flamingo

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

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

EASEMENTS & RIGHT-OF-WAY  
(TITLE 30)

TROPICANA AVE/GRAND CANYON DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**VS-19-0887-LONG LIFE PARTNERS LLC:**

**VACATE AND ABANDON** easements of interest to Clark County located between Tropicana Avenue and Meeks Bay Avenue, and between Grand Canyon Drive and Tee Pee Lane and a portion of a right-of-way being Tropicana Avenue located between Grand Canyon Drive and Tee Pee Lane within Spring Valley (description on file). JJ/jt/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
163-30-501-002

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**

**Project Description**

The site plan depicts the vacation and abandonment of 33 foot wide government patent easements on the east, west, and south sides of the parcel. In addition, the plan depicts the vacation and abandonment of a 5 foot wide portion of Tropicana Avenue. According to the applicant, the vacation and abandonment of the patent easements are necessary for development on the parcel, and the vacation and abandonment of the portion of Tropicana Avenue will accommodate a detached sidewalk.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-1	Shopping center
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential subdivision
East	Commercial General	R-2	Single family residential subdivision
West	Commercial General	C-1 & C-2	Parking and vacant pad sites for a shopping center

## Related Applications

Application Number	Request
NZC-19-0886	A nonconforming zone change to R-5 zoning for a multiple family development 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.

#### Public Works - Development Review

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

#### Staff Recommendation

Approval.

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

### PRELIMINARY STAFF CONDITIONS:

#### Current Planning

- Satisfy utility companies' requirements.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the recording of the order of vacation in the Office of the County Recorder must be completed within 2 years of the approval date or the application will expire.

#### Public Works - Development Review

- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

#### Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: JANET GOYER

CONTACT: JENNIFER LAZOVICH, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135

2

12/18/19 BCC AGENDA SHEET

SPRINGS RANCH II  
(TITLE 30)

PATRICK LN/HUALAPAI WY

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**TM-19-500230-HIGH GROUND, LLC:**

**TENTATIVE MAP** consisting of 85 single family residential lots and common lots on 11.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southeast corner of Patrick Lane and Hualapai Way within Spring Valley. JJ/sd/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
163-31-301-022

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

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 11.8
- Number of Lots/Units: 85/3 (residential)(common)
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 2,418/5,699
- Project Type: Single family residential development

The plans depict a single family residential subdivision consisting of 85 single family residential lots and 3 common lots. The lot sizes range from 2,418 square feet to 5,699 square feet with a density of 7.2 dwelling units per gross acre. The proposed development will consist of 25 detached single family residential homes (Lots 59 through Lots 85) and 60 attached single family residential products on Lots 1 through Lots 60. The proposed attached dwelling units are adjacent to Hualapai Way while the proposed detached dwelling units are located adjacent to the east parcel lines and the existing residential development to the east. The attached dwelling units will have side yards.

The plans show a 41 foot wide private street with a 4 foot wide sidewalk bisecting the subdivision into eastern and western sides. Entrances to the subdivision will be from Hualapai Way. The plans show 2 driveway access points with controlled gates and call box set back 50 feet from Hualapai Way. Three common lots totaling 6,058 square feet will be incorporated into drainage design. A community pool will be added and is considered to be a common lot for the subdivision. Access within the subdivision is provide by 43 foot wide private streets, which

includes a 5 foot wide private sidewalk on 1 side of the street. Detached sidewalks are proposed along Hualapai Way and Patrick Lane.

**Prior Land Use Requests**

Application Number	Request	Action	Date
WS-0500-16	Waiver of development standards and design review for single family residential development - expired	Approved by PC	July 2016
VS-0502-16	Vacated and abandoned 5 feet of right-of-way and drainage easement - expired	Approved by PC	July 2016
TM-0164-13	85 lot single family residential subdivision - expired	Approved by BCC	November 2013
VS-0593-13	Vacated and abandoned 5 feet of right-of-way being a portion of Hualapai Way - expired	Approved by BCC	November 2013
ZC-0592-13	Reclassified 11.8 acres from R-E to R-2 zoning for an attached and detached single family residential development, design review as a public hearing for any significant changes to the plans.	Approved by BCC	November 2013
ZC-1035-03	Reclassified 11.8 acres from R-2 to C-1 and C-P zoning for an office development in the Southwest Ranch Concept Plan Area - expired	Approved by BCC	September 2003
ZC-0263-00	Established several zoning districts for approximately 500 acres including R-2 zoning for the subject parcel within the Southwest Ranch Community - expired	Approved by BCC	April 2000
MP-0063-00	Public Facilities Needs Assessment for the Southwest Ranch Community - expired	Approved by BCC	April 2000
TM-0164-13	85 lot single family residential subdivision	Approved by BCC	November 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-2	Single family subdivisions
South	Commercial Neighborhood & Residential Suburban (up to 8 du/ac)	C-1 & R-2	Undeveloped
West	Summerlin South Single family	R-2	Undeveloped

**Related Applications**

Application Number	Request
VS-19-0873	A vacation and abandonment of right-of-way and drainage easement is a companion item on this agenda.
UC-19-0872	A use permit for attached single family residential dwelling units, waiver of development standards to reduce lot size, driveway and residential street geometrics and design review for single family residential development (attached & detached) and increase grade is a companion item on this agenda.



## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

This request meets the tentative map requirements as outlined in Title 30. However, since staff does not support the design review and waiver of development standards for reduced lot sizes associated with UC-0872, staff does not 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, 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 a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

### **Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that the bus turnout depicted on the east side of Hualapai Way, just south of Patrick Lane, is not requested by the Regional Transportation Commission since transit service is not expected along this street segment, so the turnout must be removed from the plans; that a resolution relative to the acquisition of rights-of-way may exist and may need to be vacated; that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

### **Current Planning Division - Addressing**

- Approved street name list from the Combined Fire Communications Center shall be provided;
- Street shall have approved street names.

**Building Department - Fire Prevention**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0478-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** DISTINCTIVE HOMES, LLC

**CONTACT:** JPL ENGINEERING, INC., 6725 S. EASTERN AVENUE, SUITE 5, LAS VEGAS, NV 89119

DRAFT

12/18/19 BCC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL  
(TITLE 30)

PATRICK LN/HUALAPAI WY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0872-HIGH GROUND, LLC:**

**USE PERMIT** for single family attached dwellings.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce lot sizes, 2) increase in wall height; 3) modify setback for access control gates; and 4) street intersection off-set.

**DESIGN REVIEWS** for the following: 1) increased grade; 2) an attached and detached single family residential development on 11.8 acres in an R-2 (Medium Density Residential) Zone.

Generally located on the southeast corner of Patrick Lane and Hualapai Way within Spring Valley. JJ/sd/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
163-31-301-022

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce lot size to 2,418 square feet where a minimum of 3,000 square feet is required per Table 30.40.2 (a 20% reduction).
2. Increase wall height to 14 feet (6 foot screen wall with 8 foot retaining wall) where 9 feet (6 foot screen wall with 3 foot retaining wall) is the maximum per section 30.64-050 (a 56% increase).
3. Reduce the setback to the visitor call box for access control gates to 50 feet where 100 feet is required per Clark County Uniform Standard Drawing 222.1 (a 50% reduction).
4. Reduce the street intersection off-set to 93 feet where 125 feet is required per Section 30.52.052 (a 25% reduction).

**DESIGN REVIEWS:**

1. Increase the finished grade up to 78 inches where 18 inches is the standard per Section 30.32.040 (a 333% increase).
2. Single family residential development.

**LAND USE PLAN:**

SPRING VALLEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### **General Summary**

- Site Address: N/A
- Site Acreage: 11.8
- Number of Lots: 85 (residential)/3 (common)
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 2,418/5,699
- Project Type: Single family attached dwelling residential development
- Number of Stories: 2
- Building Height (feet): up to 26
- Square Feet: 2,231 (attached and detached units)

#### Site Plans

The plans depict a single family residential subdivision consisting of 85 single family residential lots and 3 common lots. The lot sizes range from 2,418 square feet to 5,699 square feet with a density of 7.2 dwelling units per gross acre. The proposed development will consist of 25 detached single family residential homes (Lots 59 through Lots 85) and 60 attached single family residential products on Lots 1 through Lots 60. The proposed attached dwelling units are adjacent to Hualapai Way while the proposed detached dwelling units are located adjacent to the east parcel lines and the existing residential development to the east. The attached dwelling units will have side yards.

The plans show a 41 foot wide private street with a 4 foot wide sidewalk bisecting the subdivision into eastern and western sides. Entrances to the subdivision will be from Hualapai Way. The plans show 2 driveway access points with controlled gates and a call box set back 50 feet from Hualapai Way. Three common lots totaling 6,058 square feet will be incorporated into drainage design. A community pool will be added and is considered to be a common lot for the subdivision. Access within the subdivision is provided by 43 foot wide private streets, which includes a 5 foot wide private sidewalk on 1 side of the street.

#### Landscaping

A 15 foot wide landscape area which includes a detached meandering sidewalk is shown along Hualapai Way. In addition, there is a 15 foot wide landscape area with an attached sidewalk along Patrick Lane.

#### Elevations

Lots 1 through Lots 58 are attached single family dwelling units and will consist of cement plaster, concrete roof tile, and a pitched roofline up to 26 feet in height. Lots 59 through Lots 85 are detached single family dwelling units and will consist of cement plaster, concrete tile roof, and pitched roofline up to 26 feet in height.

#### Floor Plans

The plans depict 2 story homes approximately 2,231 square feet. The proposed attached homes will offer 3 bedrooms, 2 bathrooms, kitchen, a great room or dining room with 2 car garage. The

proposed detached homes will offer 4 bedrooms 2 and a half bathrooms, kitchen, living and dining room with a 2 car garage.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that the parcel is long and narrow, approximately 2,020 feet long and 180 feet wide. The applicant is proposing attached single family dwelling units along Hualapai Way with a reduction in lot sizes. The rest of the subdivision will include detached homes. The applicant states that the proposed project is providing transitional lot sizes from the existing lots to the east with 25 detached single family lots averaging 4,700 square feet along a double loaded street.

An increase in grade is a result of the natural fall of the site's topography and natural watersheds (hydrology) flowing from west to east. In addition, due to the narrowness of the parcel a decrease in the required throat depth is proposed to 50 feet where 100 feet is required per Uniform Standard Drawing 222.11. With 2 separate entrances a 50 foot throat depth is needed. The 50 foot length is sufficient. An increase in grade and an increase in the screening wall to 14 feet (6 foot retaining/8 foot screening) is needed due to the site being approximately, 10 feet to 12 feet above the existing grade to the parcels to the east.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
WS-0500-16	Waiver of development standards and design review for single family residential development - expired	Approved by PC	July 2016
VS-0502-16	Vacated and abandoned 5 feet of right-of-way and drainage easement - expired.	Approved by PC	July 2016
TM-0164-13	85 lot single family residential subdivision - expired	Approved by BCC	November 2013
VS-0593-13	Vacated and abandoned 5 feet of right-of-way being a portion of Hualapai Way - expired	Approved by BCC	November 2013
ZC-0592-13	Reclassified 11.8 acres from R-E to R-2 zoning for an attached and detached single family residential development, design review as a public hearing for any significant changes to the plans	Approved by BCC	November 2013
ZC-1035-03	Reclassified 11.8 acres from R-2 to C-1 and C-P zoning for an office development in the Southwest Ranch Concept Plan Area - expired	Approved by BCC	September 2003

**Prior Land Use Requests**

Application Number	Request	Action	Date
ZC-0263-00	Established several zoning districts for approximately 500 acres including R-2 zoning for the subject parcel within the Southwest Ranch Community - expired	Approved by BCC	April 2000
MP-0063-00	Public Facilities Needs Assessment for the Southwest Ranch Community - expired	Approved by BCC	April 2000
TM-0164-13	85 lot single family residential subdivision	Approved by BCC	November 2013

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North & East	Residential Suburban (up to 8 du/ac)	R-2	Single family development
South	Commercial Neighborhood & Residential Suburban (up to 8 du/ac)	C-1 & R-2	Undeveloped
West	Summerlin South Single family	R-2	Undeveloped

**Related Applications**

Application Number	Request
TM-19-500230	A tentative map for 85 single family residential lots and common lots is a companion item this agenda.
VS-19-0873	A vacation and abandonment of easements and right-of-way is a companion item on this agenda.

**STANDARDS FOR APPROVAL:**

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

**Analysis  
Current Planning  
Use Permit**

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

Staff finds that the proposed product for attached dwelling units are unique and encourages residential development within Spring Valley that provides a variety of housing to match demand across income levels. The proposed elevation plans with added architectural articulations and enhancements encourages articulated facades to provide visual interest. Staff can support the use permit.

### Waiver of Development Standards

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

### Waiver of Development Standards #1

Staff finds that the applicant has not provided any mitigation or compelling justification to grant the requested waiver. The proposed residential development can be redesigned to meet the minimum lot sizes required for the R-2 zoning district. The reduction to the lot size requirements is a self-imposed hardship; therefore, staff cannot support this request.

### Waiver of Development Standards #2

Urban Land Use Policy 8 encourages in-fill development where existing land use patterns are underutilized. This site was originally intended as a drainage area. However, to utilize the land, which includes significant slopes and drainage considerations, retaining walls in excess of the maximum height allowed by Code are necessary to make the site viable. Staff could support the increase in retaining wall height; however, staff is not supporting the reduction in lot size and therefore, is not supporting the design of the project as proposed.

### Design Review #2

Staff finds the proposed design of the single family homes offers a unique elevation plan with added architectural articulations and enhancements, which encourages articulated facades to provide visual interest. A majority of the adjacent subdivisions (Summerlin South) are gated communities and the proposed subdivision will also be a gated community. However, the approval of the design review is contingent upon approval of the waiver of development standards #1 which staff cannot support.

### **Public Works - Development Review**

#### Waiver of Development Standards #3

Staff has no objection to the modified setback for the access control gates, both gates should see equal use and mitigating the potential impacts from the modified setback.

#### Waiver of Development Standards #4

The reduction in the street intersection off-set is a self-imposed hardship. A site redesign would eliminate the reduction in the street intersection off-set and will allow the minimum requirements to be met.

### Design Review #1

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

**Staff Recommendation**

Approval of the use permit, waiver of development standards #3, and design review #1: denial of waivers of development standards #1, #2 and #4, and design review #2.

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 4 years of approval date or it will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that the bus turnout depicted on the east side of Hualapai Way, just south of Patrick Lane, is not requested by the Regional Transportation Commission since transit service is not expected along this street segment, so the turnout must be removed from the plans; that a resolution relative to the acquisition of rights-of-way may exist and may need to be vacated; that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0478-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**



**APPLICANT:** DISTINCTIVE HOMES, LLC

**CONTACT:** JPL ENGINEERING, INC., 6725 S. EASTERN AVENUE, SUITE 5, LAS VEGAS, NV 89119

**DRAFT**



12/17/19 PC AGENDA SHEET

OFFICE/WAREHOUSE & DISTRIBUTION CENTER  
(TITLE 30)

HACIENDA AVE/RILEY ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**NZC-19-0848-T E G SPANISH RIDGE LLC:**

**ZONE CHANGE** to reclassify 13.0 acres from C-P (Office and Professional) Zone to an M-D (Designed Manufacturing) Zone.

**USE PERMIT** to waive the required intense landscape buffer for a distribution center.

**WAIVER OF DEVELOPMENT STANDARDS** to allow modified driveway design standards.

**DESIGN REVIEWS** for the following: **1)** office/warehouse building; and **2)** distribution center on 13.0 acres in the CMA Design Overlay District.

Generally located on the south side of Hacienda Avenue and the west side of Riley Street within Spring Valley (description on file). JJ/md/ja (For possible action)

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RELATED INFORMATION:

**APN:**

163-29-712-017; 163-29-712-018

**WAIVER OF DEVELOPMENT STANDARDS:**

Reduce the throat depth for a proposed driveway along Riley Street to 10 feet where a minimum of 75 feet is the standard per Uniform Standard Drawing 222.1 (an 86.7% reduction).

**LAND USE PLAN:**

SPRING VALLEY - OFFICE PROFESSIONAL

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 8876 Spanish Ridge Avenue
- Site Acreage: 13
- Project Type: Office/warehouse and distribution center
- Number of Stories: 1
- Building Height (feet): 44 (Building 1)/40 (Buildings 2 & 3)
- Square Feet: 130,656 (Building 1)/72,540 (Building 2)/21,824 (Building 3)
- Parking Required/Provided: 172/256

## Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 13 acres from a C-P zoning to an M-D zoning to allow an office/warehouse building and a distribution center consisting of 2 buildings. The applicant conducted a neighborhood meeting at the Hampton Inn and Suites located at 4280 South Grand Canyon Drive on August 27, 2019, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Four neighbors were in attendance at the meeting. One neighbor had no objection to the project as they did not desire a residential development on the subject property. The remaining neighbors' concerns were with noise, traffic, building height, and the overall size of the buildings.

## Site Plans

The plans depict a proposed development consisting of a single office/warehouse building and 2 distribution centers located on a 13 acre site. Buildings 1 and 2 are distribution centers consisting of 130,656 and 72,540 square feet, respectively. Building 1 is located on the west side of the site while Building 2 is located on the east side of the site, along Riley Street. Building 1 is set back 82 feet from the west property line, 38 feet from the north property line along Hacienda Avenue, and 64 feet from the southwest property line. Building 2 is set back a minimum of 70 feet from the northeast property line along Hacienda Avenue, and between 58 to 83 feet along the east property line along Riley Street. The overhead roll-up doors and loading docks are located on the east and west sides of Buildings 1 and 2, respectively, and are oriented towards the interior of the site. The overhead roll-up doors and loading docks do not face the public right-of-way or any residential uses. Building 3 is an office/warehouse measuring 21,824 square feet and is located at the southeast corner of the site. Building 3 is located a minimum of 95 feet from the south side of Building 2 and is set back 26 feet from the southeast (rear) property line. Additionally, Building 3 is set back a minimum of 40.5 feet from the southeast property line along Riley Street and 36 feet from the southwest property line. The overhead roll-up doors and loading docks are located at the northwest corner of Building 3 and are oriented away from the public right-of-way. A 14 foot high CMU block screen wall is located immediately adjacent to the loading docks of Building 3, per the request of the office tenants to the west of the project site. Two, 5 foot wide pedestrian connections constructed with concrete are provided from the existing 5 foot wide attached sidewalk along Hacienda Avenue to Buildings 1 and 2. One, 5 foot wide pedestrian connection constructed with concrete is provided from the existing 5 foot wide attached sidewalk along Riley Street to building 1. Buildings 1 through 3 are interconnected through a series of 5 foot wide pedestrian connections internal to the project site. A total of 11 trash enclosures are provided throughout the interior of the development. All trash enclosures are located within the interior of the site and are not visible from Hacienda Avenue or Riley Street. Bicycle spaces are located at the southwest entrance to Building 1, the east entrance to Building 2, and the northeast entrance to Building 3. Access to the project site is granted by 2 commercial driveways along Hacienda Avenue and 1 commercial driveway along Riley Street. 5 foot wide pedestrian walkways are provided between the proposed driveways and the existing 5 foot wide sidewalks along Hacienda Avenue and Riley Street. Cross access to the existing office complex to the west and south of the project site is not required per the Development Code as the parking requirements for the proposed and existing land uses are not similar. The proposed development requires 172 parking spaces where 256 parking spaces are provided.

### Landscaping

A proposed landscape area ranging between 38 to 42 feet in width is located behind the existing 5 foot wide attached sidewalk along Hacienda Avenue. A landscape area ranging between 20 to 75 feet in width is located at the northeast corner of the site being the intersection of Hacienda Avenue and Riley Street. A landscape area with a width ranging between 10 to 40.5 feet is located behind the existing 5 foot wide attached sidewalk along Riley Street. The street landscape area features a combination of 24 inch to 36 inch box small, medium, and large trees in addition to shrubs and groundcover. Parking lot landscaping is equitably distributed throughout the interior of the site consisting of medium and large trees. A landscape area measuring 15 feet in width consisting of small and large 24 inch box trees, planted 20 feet on center, has been provided along the west property line adjacent to the existing office complex. The landscape areas along the southwest and southeast property lines have widths of 19 feet and 26 feet, respectively. Large, 24 inch box evergreen trees will be planted 20 feet on center within these areas adjacent to the office complex. A 6 foot high wrought iron fence is proposed along the west and southwest property lines at the request of the surrounding office tenants.

### Elevations

The plans depict a maximum height of 44 feet for Building 1 and a maximum height of 40 feet for Buildings 2 and 3. The buildings have a contemporary architectural design consisting of tilt-up concrete panels with metal canopies, aluminum storefront window systems, and vertical and horizontal reveal lines. The exterior of the buildings feature multiple surface planes and variations consisting of walls that are off-set with contrasting design schemes. The height of the buildings range from 39 to 44 feet and has been designed to break-up the roofline at the endcaps of each building. Cornices have been provided in all concrete tilt-up panels to also aid in breaking-up the roofline of each building and to enhance the overall appearance of the structure. The loading docks for Buildings 1 and 2 are oriented towards the interior of the site and are screened from public view and the right-of-way. The loading dock doors are located at the northwest corner of Building 3 and are screened from Hacienda Avenue by Building 2. The buildings will be painted with a white exterior featuring light blue and gray as secondary colors. A red accent trim will be featured on the top edge of the parapet walls located above the entrances to each building.

### Floor Plans

The plans depict a distribution center consisting of 2 separate buildings measuring 130,656 square feet (Building 1) and 72,540 square feet (Building 2). Each structure will have a minimum overhead clearance of 24 feet within the building with accessory office areas not exceeding 25% of the total distribution center's area. The floor plans for Building 3 depict an office/warehouse consisting of 21,024 square feet with accessory offices.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting to reduce the throat depth on the southeast driveway along Riley Street to 10 feet. Trucks will not be permitted to use this access point. Only employees/office

tenants will utilize the access point along Riley Street. The amount of automobiles coming in and out of the property will be minimal. Additionally, several parking spaces were removed on both the north and south sides of the drive aisle, with landscaping being used in lieu of parking to prevent vehicles from backing into traffic.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-17-0822	Reclassified a portion of this site (APN 163-29-712-017) to R-3 zoning for a multiple family residential development	Withdrawn	June 2018
NZC-0657-13	Reclassified this site to R-2 zoning for a single family residential development	Withdrawn	December 2013
ZC-0606-06	Reclassified the northern portion of this site (APN 163-29-712-017) from an R-E to a C-P zoning with a design review for an office complex on 20 acres (included parcels to the south)	Approved by BCC	July 2006
ZC-0982-05	Reclassified the southern portion of this site (163-29-712-018) from an R-E to a C-P zoning for an office complex	Approved by BCC	August 2005

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Undeveloped parcels and single family residences
South	Office Professional	C-P	Office complex
East	Residential Suburban & Office Professional	R-E & RUD	Undeveloped parcels
West	Business and Design/Research Park	C-2	Office complex

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

**Zone Change**

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

1. A change in law, policies, trends, or facts after the adoption, readoption or amendment of the land use plan that have substantially changed the character or condition of the area,

*or the circumstances surrounding the property, which makes the proposed nonconforming zone boundary amendment appropriate.*

According to the applicant, there have been many changes the last several years within the southwest sector of Clark County. This project site in particular has had multiple applications for residential development come through the Department of Comprehensive Planning, but have ultimately been unsuccessful. It has been determined the site is inappropriate for residential uses and should be developed as an office or commercial use. The proposed distribution center and warehouse development are compatible with the existing office complex to the west and south, as well as the existing multiple family development to the east. To the south is an existing school, as well as another multiple family development and M-D zoned development south of Riley Street. Therefore, M-D zoning in the area is not uncommon and is compatible with the surrounding uses.

To the west of the project site is an existing office complex zoned C-2 with a planned land use of Business and Design/Research Park. To the south of the proposed development is an existing office complex zoned C-P with a planned land use of Office Professional. To the north of the site, across Hacienda Avenue, is a parcel containing a drainage channel with R-E zoning and a planned land use of Residential Suburban. To the east of the project site, across Riley Street, is an undeveloped R-E zoned parcel with a planned land use of Residential Suburban and an undeveloped parcel previously approved for single family residential development by action of NZC-18-0920. This undeveloped parcel was approved for RUD zoning with a planned land use of Office Professional. One thousand feet to the south of the project site is an existing office/warehouse complex with M-D zoning consisting of 4.8 acres. The office/warehouse complex is located adjacent to an existing R-4 zoned multiple family development. Since 2014, several parcels located between CC 215 and Durango Drive, and between Russell Road and Hacienda Avenue (alignment) that are designated for commercial development in the land use plan have been reclassified into residential zoning districts and developed with single family residential developments. While the trend in this area is for additional residential development and less intensive commercial development, staff finds the requested M-D zoning is an appropriate transition from the C-2 zoned office complex to the west and the C-P zoned office development to the south.

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

The proposed distribution center and warehouse uses are ideal for the area. The uses would bring a low amount of additional traffic and noise to the area, as to not disturb the existing office and multiple family residential uses. The buildings are designed in such a way as to blend with the existing developments in the area and work well with the individually owned adjacent office buildings.

The overall site has been designed to minimize impacts on the surrounding office and residential land uses. Tractor trailers will utilize the proposed commercial driveways along Hacienda Avenue to mitigate any impact on the residential uses on the east side of Riley Street. Furthermore, the site has immediate access to Hacienda Avenue, which connects to the frontage

road of Brent Thurman Way transitioning to the CC 215 entrance ramp. Roofline and façade variations have been incorporated into the design of the buildings complementing the design of the adjacent office buildings. The distribution center and warehouse uses should generate less vehicular traffic than the surrounding office and residential uses. Therefore, staff finds the density and intensity of the proposed distribution center and warehouse uses are compatible with the existing and planned land uses in the surrounding area.

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

The proposed zone change will not result in any additional impacts on surrounding infrastructure not already contemplated in the area. In fact, the project will bring far less traffic into the area than if the site was developed fully as office space. The applicant will mitigate any impacts the proposed development may have.

There has been no indication from service providers that this request will have a substantial adverse effect on public facilities and services. Various Clark County service departments have reviewed the development proposal based on the information submitted by the applicant and, based on the comments received from those service providers, the project is not anticipated to have additional impacts on the surrounding infrastructure beyond what would have been anticipated for a commercial development.

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

Pursuant to the policies of the new Urban Land Use Policies, Policy 10 "encourage[s] site design to be compatible with adjacent land use and off-site circulation patterns." The site is located adjacent to existing office and future multiple family residential development with quick access to Russell Road and the CC 215. Not only is the proposed development compatible with the general policy of the Urban Land Use Policies, but it is also compatible with the more specific industrial policies of the Comprehensive Master Plan.

Industrial Policy 100 requires developments to be complementary with abutting uses through site planning and building design on the perimeter. Appropriate buffers, setbacks, landscaping, building height and materials, lighting, signage, on-site circulation, and adjoining land uses and densities should be considered and integrated into industrial developments. The buildings are designed to blend well with the existing office buildings to the south and west. The buildings have been oriented in such a way to ensure the loading areas and ramps are located in the center of the site, buffered by the buildings themselves and away from the existing office uses. The site also provides landscaping around the entire perimeter, and 2 rows of parking to provide additional buffering space.

Industrial Policy 102 encourages loading areas to be screened from streets, residential, and other adjacent uses. The loading areas are located internally within the site and are completely screened by landscaping and buildings themselves.



Industrial Policy 103 encourages applicants to orient offices, similar less intensive uses, and landscaping adjacent to public rights-of-way (on the perimeter of the developments) to improve visual quality, with more intensive uses to be internalized within the development. The proposed development and site plan configuration complies with this policy. The offices to all the buildings are located on the perimeter of the site pointing toward the existing office buildings, with the loading docks centralized and screened by the buildings.

The proposed distribution center and warehouse buildings have been designed to complement the mixture of 1 and 2 story office buildings located to the west and south of the project site. The buildings have been configured and positioned in a manner that ensures the loading areas and overhead roll-up doors are oriented towards the interior of the site, away from the public right-of-way. Perimeter landscaping has been provided around the entirety of the site, providing an additional buffer between the surrounding office and residential uses; therefore, staff finds the project complies with Industrial Policy 100. The loading areas with overhead roll-up doors are oriented towards the interior of the site and are screened from the public right-of-way and residential uses to the east and north of the proposed development. Therefore, staff finds the project complies with Industrial Policy 102. Staff finds the design of the site complies with Industrial Policy 103 as perimeter landscaping is provided around the boundaries of the development, in addition to the office areas of the distribution and warehouse buildings oriented towards the existing office complexes.

### **Summary**

#### Zone Change

The density and intensity of the proposed project are consistent and compatible with existing and planned developments in this area. There has been no indication that the proposed project will have an adverse impact on public services or facilities in this area. The proposed project complies with other goals and policies within the Clark County Comprehensive Master Plan. Staff finds the applicant has provided a Compelling Justification to warrant approval of the nonconforming zone boundary request.

#### Use Permit

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

Industrial Policy 102 states loading areas with roll-up, overhead doors, service areas, and areas intended for large semi-truck parking should be screened from streets, residential, and other adjacent uses. The loading areas with overhead roll-up doors are oriented towards the interior of the site and are screened from the public right-of-way and residential uses to the east and north of the proposed development. Staff finds the proposed landscaping plan is an acceptable alternative to the required intense landscape buffer along Riley Street and will help mitigate any impact the proposed development may have on the abutting residential uses; therefore, staff recommends approval.

### Waiver of Development Standards

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

### Design Reviews #1 and #2

The intent of the CMA Design Overlay District is to encourage and promote a high quality level of development that produces a stable environment in harmony with existing and future development and protects the use and enjoyment of neighboring properties. The design of the proposed distribution center and warehouse building complies with the intent and requirements of the CMA Design Overlay District. Staff finds that the buildings comply with Urban Specific Policy 19 of the Comprehensive Master Plan which encourages breaking-up the mass of the buildings through height variations. Urban Specific Policy 7 encourages land uses that are complementary and are of similar scale and intensity. Staff finds that the proposed buildings are complementary to the existing office complex located to the west and south of the project site; therefore, staff can support this request.

### **Public Works - Development Review**

#### Waiver of Development Standards

Staff can support the request to reduce the throat depth for the driveway on Riley Street as the applicant has reduced the potential conflicts by providing extra landscape planters on the drive aisles to provide drivers more distance before they encounter any conflicting parking spaces.

### **Staff Recommendation**

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on January 22, 2020 at 9:00 a.m., unless otherwise announced.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

- Resolution of intent to complete in 3 years;
- 14 foot high screen wall to match the exterior materials of Building 3;
- Design review as a public hearing for any significant changes to plans;
- 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.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Provide a dedicated right turn lane into the center driveway;
- Coordinate with Public Works - Development Review Division to provide an enlarged sight visibility zone at the center driveway;
- Applicant is advised that off-site permits are required for work within the right-of-way.

**Building Department - Fire Prevention**

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features;
- Applicant is advised that fire protection will 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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0420-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** CAPROCK ACQUISITIONS, LLC  
**CONTACT:** BOB GRONAUER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135



01/07/20 PC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL  
(TITLE 30)

TROPICANA AVE/GRAND CANYON DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
NZC-19-0886-LONG LIFE PARTNERS, LLC:

**ZONE CHANGE** to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-5 (Apartment Residential) Zone.

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

**DESIGN REVIEW** for a multiple family residential development.

Generally located on the south side of Tropicana Avenue, 300 feet east of Grand Canyon Drive within Spring Valley (description on file). JJ/jt/jd (For possible action)

RELATED INFORMATION:

APN:  
163-30-501-002

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 54 feet where 50 feet is the maximum allowed per Table 30.40-3 (an 8% increase)
2. Reduce throat depth to 27 feet where 50 feet is the minimum distance allowed per Uniform Standard Drawing 222.1 (an 82% reduction).

**LAND USE PLAN:**  
SPRING VALLEY - COMMERCIAL GENERAL

**BACKGROUND:**  
Project Description  
General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots/Units: 174
- Density (du/ac): 35
- Project Type: Multiple family residential development
- Number of Stories: 4
- Building Height (feet): 54
- Open Space Required/Provided (square feet): 17,400/26,700
- Parking Required/Provided: 287/288

## **Neighborhood Meeting Summary**

The applicant mailed out notices and conducted the required neighborhood meeting on October 23, 2019 at a nearby multiple family development (Aspire) located near Tropicana Avenue and CC 215. Approximately 35 people attended the meeting and expressed concerns about traffic, building height, and density.

## **Site Plan**

The plan depicts a proposed multiple family residential development in the shape of an "E" located in the center of the site. Access is provided by a single entrance from Tropicana Avenue on the northeastern portion of the site, and an emergency crash gate is provided in the northwest portion of the site. A two-way drive aisle provides access to the parking spaces located around the perimeter of the site. Carports are provided for many of the parking spaces, and 34 garage parking spaces are provided on the west side of the building. Additional parking is provided per Title 30 standards for the enclosed parking spaces (garages) and guest parking. Setbacks for the building include 95 feet to Tropicana Avenue to the north, over 80 feet to the single family residences to the east and south, and 60 feet to an unbuilt shopping center to the west. Trash enclosures are provided on the east side of the development, set back at least 50 feet from the adjacent single family residences. Lastly, open space amenities, including a pool area, are located between the northern portions of the "E" shaped building, and additional parking spaces are located between the southern portions of the "E" shaped building.

## **Landscaping**

Perimeter landscaping includes a 15 foot landscape strip along Tropicana Avenue with a detached sidewalk, an 8 foot wide landscape strip along the east and south property lines with an intense landscape buffer to a less intense use (single family residences), and an 8 foot wide landscape strip along the west property line. Trees include 24 inch box large trees, and the spacing includes 2 rows of off-set trees spaced 30 feet on center along Tropicana Avenue, 2 rows of off-set trees spaced 10 feet on center along the east and south property lines, and a single row of trees spaced 20 feet on center along the west property line. Landscaping also includes landscape fingers in the parking areas, and landscaping in the amenity area around the pool.

## **Elevations**

The 4 story, 54 foot tall building includes a variety of design elements to break-up the apparent mass of the building. Portions of the roof include pitched concrete roof tiles and parapet walls with cornice treatment. Elevations include varying surface planes, and finish materials including brick veneer, painted stucco, decorative railing on the balconies, and embellishments around the windows.

Since an intense landscape buffer is provided along the east and south property lines, the project can utilize a 2:1 height setback ratio to a less intense use (single family residences) rather than the standard 3:1 height setback ratio. The 4 story, 54 foot tall building transitions to 3 stories and is 43 feet tall along the east and south sides of the building. As a result, the 54 foot tall portion of the building is required to be set back at least 96 feet from the residences, and the 43 foot tall portion of the building is required to be set back at least 74 feet from the residences. Actual setbacks are over 100 feet for the 54 foot tall portion of the building and over 80 feet for the 43

foot tall portion of the building, exceeding the Title 30 setback requirements for adjacency to a less intense use.

Floor Plans

The multiple family residential building will include 120, one bedroom units and 54, two bedroom units. Both the 1 bedroom units and the 2 bedroom units include 4 different variations in the floor plans. The 26,700 square feet of open space includes a 19,500 square foot pool area, 3,000 square foot clubhouse, 1,700 square foot fitness area, and a 2,500 square foot conference area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that a properly designed multiple family development is appropriate for this site since the surrounding area includes commercial, other multiple family residential developments, and mixed-use development (The Mercer). As a result, the nonconforming zone boundary amendment to R-5 zoning is appropriate. In addition, the proposed multiple family development is appropriately scaled with a transition from 4 stories to 3 stories on the east and south sides of the building to reduce the impact on the adjacent single family residences. Overall, the site design and architecture are appropriate for the area, and the development will include a variety of amenities including a pool, spa, outdoor kitchen, fitness center, conference facilities, library, dog wash, and breakfast bistro room.

Lastly, the applicant indicates that the increase in building height is necessary for the parapet walls to properly screen the rooftop mounted mechanical equipment, and the project will still meet all the residential adjacency requirements. In addition, the reduced throat depth will not create any negative impacts since the project does not include a gated entry, which could create queuing issues and stacking of vehicles into the right-of-way.

Surrounding Land Use

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Commercial General	C-1	Shopping center
South	Residential Suburban (up to 8 du/ac)	R-2	Single family residential subdivision
East	Commercial General	R-2	Single family residential subdivision
West	Commercial General	C-1 & C-2	Parking and undeveloped pad sites for a shopping center

Related Applications

<b>Application Number</b>	<b>Request</b>
VS-19-0887	Vacation and abandonment of easements and a portion of right-of-way 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

##### Zone Change

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

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

Since the last amendment of the Spring Valley Land Use Plan in October 2014 and the adoption of Urban Land Use Policies in April of 2015, other multiple family developments have been approved in this area indicating a trend in development patterns. For example, ZC-0898-16 approved a nearby R-4 zoned development, and ZC-0418-16 approved a nearby R-5 zoned development. In addition, The Mercer mixed-use development is located nearby, and the area is adequately served by existing commercial development. As a result, the nonconforming zone boundary amendment is appropriate.

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

The applicant indicates that the proposed density and intensity of the multiple family residential zoning is similar to other R-4 and R-5 zoned projects in the area, as well as the nearby mixed-use project, The Mercer. In addition, the multiple family residential zoning will provide an appropriate buffer from the single family residences to the east and south to the planned commercial development to the west and the existing commercial development to the north across Tropicana Avenue.

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

The proposed nonconforming zone change will not result in any additional impacts on surrounding infrastructure not already contemplated for the area. Existing infrastructure and utilities are located in the vicinity, and the nonconforming zone change will create a minimal impact on schools since the applicant's experience indicates that families with children typically prefer single family residences rather than multiple family living arrangements in R-5 zoned districts. Furthermore, the amenities provided in the R-5 zoning district will help minimize the impact on Clark County recreational facilities.



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

The proposed nonconforming zone change complies with several goals and policies in the Comprehensive Master Plan. For example, Goal 2 encourages a mix of commercial and multiple family residential in close proximity to each other. The change to R-5 zoning will create a node of both commercial zoning and multiple family zoning near the intersection of Tropicana Avenue and Grand Canyon Drive. The R-5 zoning also complies with Goal 7, which encourages housing alternatives to meet a range of lifestyle choices, ages, and affordability levels. R-5 zoning will provide a multiple family living arrangement as an alternative lifestyle to single family houses. Lastly, Community Design Policy 6 encourages the adjacency of living and employment opportunities. By locating the multiple family zoning district adjacent to commercial zoning districts, future residents will have increased employment opportunities in the nearby commercial complexes. As a result, the nonconforming zone change conforms to several goals and policies in the Comprehensive Land Use Plan.

### **Summary**

#### Zone Change

Although the nonconforming zone boundary amendment is not within the range of non-residential intensities anticipated for this site by the Spring Valley Land Use Plan, the request is consistent with a trend of multiple family development in the area, the density is similar to other approved multiple family projects located nearby, there will be no adverse impacts on public facilities and services, and the nonconforming zone change request conforms to applicable goals and policies in the Comprehensive Master Plan. As a result, staff can support the request.

#### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff does not anticipate any negative impacts from the increased height. The increased height above 50 feet will only occur where parapet walls are necessary to screen roof mounted mechanical equipment, and the increased height will not occur along the entire roofline. In addition, the building height transitions down to 43 feet adjacent to the single family residences adjacent to the east and south property lines. As a result, staff finds that the building height is consistent with Urban Specific Policy 53 that encourages multiple family developments that are compatible with adjoining land uses and densities.

#### Design Review

The design of the multiple family development is consistent with several policies in the Comprehensive Master Plan. For example, Policy 10 encourages site design to be compatible with adjacent land uses and off-site circulation patterns. The site is located along Tropicana

Avenue, an arterial street, which can accommodate increases in traffic as a result of the project. In addition, the site is located near mass transit facilities, both single family and multiple family developments, and commercial complexes. Furthermore, the project is consistent with Policy 51, which encourages multiple family projects to provide several amenities, and Policy 55, which encourages spatial distribution rather than massing of buildings. The project includes a variety of amenities for residents, and the building includes a variety of roof elements and off-set surface planes to help reduce the apparent mass. As a result, staff can support the design review.

**Public Works - Development Review**  
Waiver of Development Standards #2

Staff cannot support the reduced throat depth in that it is a self-imposed hardship that can be addressed with a site redesign.

**Staff Recommendation**

Approval of the zone change, waiver of development standards #1 and the design review; and denial of waiver of development standards #2. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 5, 2020 at 9:00 a.m., unless otherwise announced.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Resolution of Intent to complete in 3 years;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements.
- Applicant is advised that the installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control or execute a License and Maintenance Agreement for non-standard improvements in the right-of-way.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0495-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** JANET GOYER  
**CONTACT:** JENNIFER LAZOVICH, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135

DRAFT



01/07/20 PC AGENDA SHEET

PLAN AMENDMENT

DECATUR BLVD/POST RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**PA-19-700003-DECATUR 1.25 AC HARRIS--J L #6, LLC:**

**PLAN AMENDMENT** to redesignate the existing land use category from BDRP (Business and Design/Research Park) to CG (General Commercial) on 1.2 acres.

Generally located on the west side Decatur Boulevard, 300 feet south of Post Road in Spring Valley. MN/pd (For possible action)

**RELATED INFORMATION:**

**APN:**

163-36-801-014

**LAND USE PLAN:**

SPRING VALLEY - BUSINESS AND DESIGN/RESEARCH PARK

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Acreage: 1.2
- Commission District: A

This is a request for a Plan Amendment to the Spring Valley Land Use Plan on a 1.2 acre parcel from BDRP to CG. The property is located on the west side of Decatur Boulevard between Post Road and Sunset Road.

**Applicant's Justification**

The applicant states that while most of the properties along the Decatur corridor between the 215 Beltway and Russell Road are planned BDRP, there are properties in the area where the underlying zoning is C-2. In addition, the applicant states that the reason for the underlying C-2 zoning in the area is because the BDRP category previously allowed C-2 zoning. As a result, the applicant believes that the requested CG land use is compatible at this location.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Business and Design/Research Park	C-2, R-E, & M-1	Undeveloped

### Related Applications

Application Number	Request
CP-19-900815	Authorize the Chair to sign a Resolution adopting changes to the Comprehensive Master Plan 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

##### Community Planning

Staff finds the request for CG land use designation appropriate for this location. Properties north and south of the site are currently zoned C-2, and this request would complete the land use pattern already established in the area.

##### Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting for final action on February 5, 2020 at 9:00 a.m., unless otherwise announced.

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

**TAB/CAC:**

**APPROVALS:**

**PROTEST:**

**APPLICANT:** DECATUR 1.25 AC HARRIS - I.L. #6, LLC

**CONTACT:** ANTHONY CELESTE, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DR, SUITE 650, LAS VEGS, NV 89135

01/07/20 PC AGENDA SHEET

RESTAURANT/FOOD PROCESSING  
(TITLE 30)

BADURA AVE/MONTESSOURI ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-19-0893-F T H NEVADA INC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; and 2) reduce throat depth.

**DESIGN REVIEW** for a restaurant and food processing facility on 2.0 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the south side of Badura Avenue and the east side of Montessori Street within Spring Valley. MN/jt/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
176-03-703-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking lot landscaping where landscape fingers are required per Figure 30.64-14.
2. a. Reduce throat depth to 70 feet on Badura Avenue where 75 feet is required per Uniform Standard Drawing 222.1 (a 7% reduction).  
b. Reduce throat depth to 14 feet on Montessori Street where 75 feet is required per Uniform Standard Drawing 222.1 (an 82% reduction).

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

**BACKGROUND:**  
**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 2
- Project Type: Restaurant with food processing facility
- Number of Stories: 1
- Building Height (feet): 31
- Square Feet: 22,480
- Parking Required/Provided: 103/106

### History

This site was previously approved for a retail center consisting of an in-line retail building and a pad site with a drive-thru. This current application will utilize the C-2 zoning, which was approved with the previous application, but a restaurant and food processing facility is now proposed for the site.

### Site Plan

The site plan depicts a restaurant with outside dining and a food processing facility located in the southeast portion of the site. The building is set back 28 feet from the south property line, 30 feet from the east property line, 127 feet from the north property line along Badura Avenue, and 77 feet from the west property line along Montessouri Street. Parking spaces are located on the north and west sides of the building, and a 24 foot drive aisle is located on the south and east sides of the building. Loading docks and an internal trash compactor are located on the south side of the building.

Access is provided via a driveway on the northeast side of the site from Badura Avenue and from a driveway on the southwest side of the site from Montessouri Street. A waiver of development standards is necessary to reduce the throat depth for both driveways. In addition to the driveways, cross access is provided to future development to the east, and a cross access drive aisle is provided to the south, which aligns with cross access provided on an approved office/warehouse development on the adjacent parcel to the south.

### Landscaping

Street landscaping includes a 10 foot wide landscape strip along Montessouri Street with trees spaced 30 feet on center and an attached sidewalk. A detached sidewalk is provided along Badura Avenue with 15 feet of landscaping and 2 off-set rows of trees spaced 30 feet on center. Landscaping is also provided along the east property line, the south property line, around portions of the building, and within the parking lot. However, a waiver of development standards is necessary to not provide landscape fingers every 6 spaces or every 12 spaces when the parking spaces are adjacent to a landscape strip as required by Figure 30.64-14.

### Elevations

The front (north) elevation includes a variety of exterior materials, various roof elements at different heights (maximum height of 31 feet for the roof element over the main entrance), and off-set surface planes. Materials include panel siding, freestanding metal shade structure over the outside dining area, stone cladding wall tile, aluminum siding, aluminum sunshade devices over some of the glazing, aluminum fencing, and concrete block. Many of the materials are continued on the other elevations; however, the east and south elevations include a more subdued design and appear as the back of the building.

### Floor Plans

The 22,480 square foot building includes a 7,662 square foot restaurant, 8,568 square foot commissary (food processing facility), and 6,250 square feet of storage. In addition, a 1,020 square foot outside dining area is located on the northeast side of the building.



The restaurant area includes a customer waiting area, take-out counter, take-out dining, restaurant dining, bakery, kitchen, walk-in chill room, walk-in freezer, dry storage, dish wash area, office, and restrooms. The commissary (food processing facility) includes a cook/chill area, preparation rooms, mixing/sheeting room, rack wash area, baking area, lactation room, and restrooms. Food and baked goods created in the food processing facility by this restaurant owner/operator will be distributed to other restaurant locations. Lastly, the storage area includes areas for dry storage, chill storage, freezer storage, and loading docks.

Signage

Signage is not a part of this request.

Applicant's Justification

This project is an expansion of a popular chain restaurant from Hawaii, and the facility will include a restaurant, take-out counter and dining, and a food processing facility to distribute prepared food and baked goods from this location.

The applicant indicates that the location is appropriate since it is nearby other restaurants, retail, and office/warehouse buildings. Although the parking lot does not include landscape fingers, the applicant indicates that additional landscaping width is provided along Montessori Street to offset the landscaping reductions in other areas. In addition, the total number of trees on the site exceeds Title 30 requirements.

Regarding the reduced throat depth on Montessori Street, the applicant indicates the reduced depth is necessary to align the cross access with the approved cross access with the project to the south. Similarly, cross access is provided to the parcel to the west, which reduces the throat depth from Badura Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0525-17	Reclassified the site to C-2 zoning for a retail center	Approved by BCC	September 2017
VS-0092-15	Vacated and abandoned patent easements on the property	Approved by PC	April 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & C-2	Undeveloped parcel & shopping center
South	Business and Design/Research Park	M-D	Office/warehouse
East & West	Business and Design/Research Park	C-2	Undeveloped

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

Although the project does not include the necessary landscape fingers required by Title 30, the design does allocate additional landscaping along Montessouri Street (10 feet in width where 6 feet is required), a 5 foot landscape strip along the east property line where no landscaping is required, and a 3 foot 6 inch landscape strip along the south property line where no landscaping is required. In addition, the number of trees on the site exceeds the requirements of Title 30. As a result, the alternative design standard does provide acceptable landscaping on the site to comply with Urban Specific Policy 67 in the Comprehensive Master Plan, which encourages, in part, appropriate landscaping with all commercial developments.

##### Design Review

Overall, the design complies with several goals and policies in the Comprehensive Master Plan. For example, Goal 9 encourages commercial development integrated in appropriate locations throughout the community (the site is located on a collector street, Badura Avenue, abutting a regional shopping center); Urban Specific Policy 65 encourages commercial development with cross access (the site incorporates cross access to the south and to the east); and Urban Specific Policy 68 encourages loading areas with roll-up, overhead doors, and semi-truck parking to be screened from view (the loading area with overhead roll-up doors is located at an angle behind the restaurant so the restaurant building screens the area from the right-of-way). Lastly, Urban Specific Policy 78 encourages architectural treatments on all sides of the building. Although the east and south elevations are designed with more subdued materials and architectural features, these back sides of the buildings contain sufficient design elements and materials to satisfy policy 78; therefore, staff can support the design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2a

Staff can support the request to reduce the throat depth on Badura Avenue since the design of the site allows for an additional area before the initial conflict with parking and the cross access.

### Waiver of Development Standards #2b

Staff cannot support the request to reduce the throat depth on Montessouri Street since it will cause immediate conflict with the cross access, delivery areas and the equipment areas on the site.

### **Staff Recommendation**

Approval of waivers of development standards #1 & #2a and the design review; and denial of waiver of development standards #2b.

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

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

#### **Public Works - Development Review**

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

#### **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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0656-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: FTH NEVADA, INC.**

**CONTACT: JENNIFER LAZOVICH, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA  
DRIVE, SUITE 650, LAS VEGAS, NV 89135**

**DRAFT**

4

01/07/20 PC AGENDA SHEET

RESTAURANT/FOOD PROCESSING  
(TITLE 30)

BADURA AVE/MONTESSOURI ST

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-19-0893-F T H NEVADA INC:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce landscaping; and 2) reduce throat depth.

**DESIGN REVIEW** for a restaurant and food processing facility on 2.0 acres in a C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the south side of Badura Avenue and the east side of Montessori Street within Spring Valley. MN/jt/jd (For possible action)

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RELATED INFORMATION:

APN:  
176-03-703-004

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking lot landscaping where landscape fingers are required per Figure 30.64-14.
2.
  - a. Reduce throat depth to 70 feet on Badura Avenue where 75 feet is required per Uniform Standard Drawing 222.1 (a 7% reduction).
  - b. Reduce throat depth to 14 feet on Montessori Street where 75 feet is required per Uniform Standard Drawing 222.1 (an 82% reduction).

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

**BACKGROUND:**  
**Project Description**  
General Summary

- Site Address: N/A
- Site Acreage: 2
- Project Type: Restaurant with food processing facility
- Number of Stories: 1
- Building Height (feet): 31
- Square Feet: 22,480
- Parking Required/Provided: 103/106

### History

This site was previously approved for a retail center consisting of an in-line retail building and a pad site with a drive-thru. This current application will utilize the C-2 zoning, which was approved with the previous application, but a restaurant and food processing facility is now proposed for the site.

### Site Plan

The site plan depicts a restaurant with outside dining and a food processing facility located in the southeast portion of the site. The building is set back 28 feet from the south property line, 30 feet from the east property line, 127 feet from the north property line along Badura Avenue, and 77 feet from the west property line along Montessouri Street. Parking spaces are located on the north and west sides of the building, and a 24 foot drive aisle is located on the south and east sides of the building. Loading docks and an internal trash compactor are located on the south side of the building.

Access is provided via a driveway on the northeast side of the site from Badura Avenue and from a driveway on the southwest side of the site from Montessouri Street. A waiver of development standards is necessary to reduce the throat depth for both driveways. In addition to the driveways, cross access is provided to future development to the east, and a cross access drive aisle is provided to the south, which aligns with cross access provided on an approved office/warehouse development on the adjacent parcel to the south.

### Landscaping

Street landscaping includes a 10 foot wide landscape strip along Montessouri Street with trees spaced 30 feet on center and an attached sidewalk. A detached sidewalk is provided along Badura Avenue with 15 feet of landscaping and 2 off-set rows of trees spaced 30 feet on center. Landscaping is also provided along the east property line, the south property line, around portions of the building, and within the parking lot. However, a waiver of development standards is necessary to not provide landscape fingers every 6 spaces or every 12 spaces when the parking spaces are adjacent to a landscape strip as required by Figure 30.64-14.

### Elevations

The front (north) elevation includes a variety of exterior materials, various roof elements at different heights (maximum height of 31 feet for the roof element over the main entrance), and off-set surface planes. Materials include panel siding, freestanding metal shade structure over the outside dining area, stone cladding wall tile, aluminum siding, aluminum sunshade devices over some of the glazing, aluminum fencing, and concrete block. Many of the materials are continued on the other elevations; however, the east and south elevations include a more subdued design and appear as the back of the building.

### Floor Plans

The 22,480 square foot building includes a 7,662 square foot restaurant, 8,568 square foot commissary (food processing facility), and 6,250 square feet of storage. In addition, a 1,020 square foot outside dining area is located on the northeast side of the building.

The restaurant area includes a customer waiting area, take-out counter, take-out dining, restaurant dining, bakery, kitchen, walk-in chill room, walk-in freezer, dry storage, dish wash area, office, and restrooms. The commissary (food processing facility) includes a cook/chill area, preparation rooms, mixing/sheeting room, rack wash area, baking area, lactation room, and restrooms. Food and baked goods created in the food processing facility by this restaurant owner/operator will be distributed to other restaurant locations. Lastly, the storage area includes areas for dry storage, chill storage, freezer storage, and loading docks.

Signage

Signage is not a part of this request.

Applicant's Justification

This project is an expansion of a popular chain restaurant from Hawaii, and the facility will include a restaurant, take-out counter and dining, and a food processing facility to distribute prepared food and baked goods from this location.

The applicant indicates that the location is appropriate since it is nearby other restaurants, retail, and office/warehouse buildings. Although the parking lot does not include landscape fingers, the applicant indicates that additional landscaping width is provided along Montessouri Street to offset the landscaping reductions in other areas. In addition, the total number of trees on the site exceeds Title 30 requirements.

Regarding the reduced throat depth on Montessouri Street, the applicant indicates the reduced depth is necessary to align the cross access with the approved cross access with the project to the south. Similarly, cross access is provided to the parcel to the west, which reduces the throat depth from Badura Avenue.

**Prior Land Use Requests**

Application Number	Request	Action	Date
NZC-0525-17	Reclassified the site to C-2 zoning for a retail center	Approved by BCC	September 2017
VS-0092-15	Vacated and abandoned patent easements on the property	Approved by PC	April 2015

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	R-E & C-2	Undeveloped parcel & shopping center
South	Business and Design/Research Park	M-D	Office/warehouse
East & West	Business and Design/Research Park	C-2	Undeveloped

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### Waivers of Development Standards

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

##### Waiver of Development Standards #1

Although the project does not include the necessary landscape fingers required by Title 30, the design does allocate additional landscaping along Montessouri Street (10 feet in width where 6 feet is required), a 5 foot landscape strip along the east property line where no landscaping is required, and a 3 foot 6 inch landscape strip along the south property line where no landscaping is required. In addition, the number of trees on the site exceeds the requirements of Title 30. As a result, the alternative design standard does provide acceptable landscaping on the site to comply with Urban Specific Policy 67 in the Comprehensive Master Plan, which encourages, in part, appropriate landscaping with all commercial developments.

##### Design Review

Overall, the design complies with several goals and policies in the Comprehensive Master Plan. For example, Goal 9 encourages commercial development integrated in appropriate locations throughout the community (the site is located on a collector street, Badura Avenue, abutting a regional shopping center); Urban Specific Policy 65 encourages commercial development with cross access (the site incorporates cross access to the south and to the east); and Urban Specific Policy 68 encourages loading areas with roll-up, overhead doors, and semi-truck parking to be screened from view (the loading area with overhead roll-up doors is located at an angle behind the restaurant so the restaurant building screens the area from the right-of-way). Lastly, Urban Specific Policy 78 encourages architectural treatments on all sides of the building. Although the east and south elevations are designed with more subdued materials and architectural features, these back sides of the buildings contain sufficient design elements and materials to satisfy policy 78; therefore, staff can support the design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #2a

Staff can support the request to reduce the throat depth on Badura Avenue since the design of the site allows for an additional area before the initial conflict with parking and the cross access.



Waiver of Development Standards #2b

Staff cannot support the request to reduce the throat depth on Montessouri Street since it will cause immediate conflict with the cross access, delivery areas and the equipment areas on the site.

**Staff Recommendation**

Approval of waivers of development standards #1 & #2a and the design review; and denial of waiver of development standards #2b.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

**Public Works - Development Review**

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

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0656-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**



8

01/08/20 BCC AGENDA SHEET

HEALTH CLUB  
(TITLE 30)

DURANGO DR/RAFAEL RIVERA WY

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**ZC-19-0892-SULLIVAN SQUARE, LLC:**

**ZONE CHANGE** to reclassify 15.2 acres from R-E (Rural Estates Residential) Zone, C-2 (General Commercial) Zone, and M-D (Designed Manufacturing) Zone to C-2 (General Commercial) Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) increase building height; 2) increase height of exterior fixtures (luminaries) mounted on a building; 3) reduce landscaping; and 4) alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) health club with accessory commercial uses.

Generally located on the east side of Durango Drive and the north side of Rafael Rivera Way within Spring Valley (description on file). MN/jkjd (For possible action)

RELATED INFORMATION:

APN:  
176-04-101-025; 176-04-101-026

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Increase building height to 60 feet where 50 feet is the maximum height allowed per Table 30.40-4 (a 20% increase).
2. Increase the height of exterior fixtures (luminaries) mounted on a building to 25 feet where exterior fixtures (luminaries) shall be no higher than the line of the first story eave, or 14 feet above grade, whichever is lower per Section 30.48.670 (a 79% increase).
3. Reduce parking lot landscaping where landscape fingers are required every 6 parking spaces or every 12 parking spaces if adjacent to a landscape strip per Figure 30.64-14.
4.
  - a. Reduce throat depth on Pitching Avenue to 71 feet where 100 feet is the minimum per Uniform Standard Drawing 222.1 (a 29% reduction).
  - b. Reduce throat depth on Butler Street to 0 feet where 100 feet is the minimum per Uniform Standard Drawing 222.1 (a 100% reduction).
  - c. Allow a modified commercial curb return driveway on Butler Street with a partial ingress and egress radius where a 25 foot minimum ingress radius and a 15 foot minimum egress radius that continues through the curb return to a point of tangency on the inside of the curb return is required per Uniform Standard Drawing 222.1.

**LAND USE PLAN:  
SPRING VALLEY - COMMERCIAL GENERAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 15.2
- Project Type: Health club with accessory commercial uses
- Number of Stories: 3
- Building Height (feet): 60
- Square Feet: 125,500
- Parking Required/Provided: 628/635

Site Plan

The site plan depicts a proposed health club with accessory commercial uses and an outdoor pool/amenity area located in the southwest portion of the site, near the intersection of Durango Drive and Rafael Rivera Way. A property wall around the outdoor pool/amenity area is set back approximately 35 feet from the west property line along Durango Drive and the south property line along Rafael Rivera Way. A 30 foot wide slope easement is located adjacent to right-of-way in this area of the site as well. The health club is located to the east of the outdoor pool/amenity area, set back approximately 110 feet from the south property line along Rafael Rivera Way.

Parking spaces are predominately located to the north and east of the outdoor pool/amenity area and health club; however, 29 spaces are located to the south of the health club (between the health club and Rafael Rivera Way). Loading spaces and a trash enclosure are also located in this area behind the health club. Internal walkways provide access throughout the site creating pedestrian connections between the streets, parking lots, and buildings.

Access to the site is provided by driveways on Durango Drive to the west, Sunset Road to the north, and Butler Street and Pitching Avenue to the east. A waiver of development standards is necessary to reduce the throat depth from both Pitching Avenue and Butler Street and to allow alternative driveway geometrics. Existing cross access from Pitching Avenue to an adjacent office building will be maintained; however, the opportunity for secondary cross access with the office building will be eliminated by installing landscaping between the 2 properties. Two areas of the site adjacent to Sunset Road and Durango Drive will remain undeveloped. These portions of the site are 4.9 acres and 1.7 acres. A drive aisle from Sunset Road bifurcates the undeveloped portions of the site and provides access to the health club.

Landscaping

Landscaping is provided along all street frontages, along the internal drive aisles, walkways, and around the health club and the outdoor pool/amenity area. An attached sidewalk exists along the southern portion of Durango Drive, and the attached sidewalk (rather than a detached sidewalk) will be extended along Durango Drive due to the need for additional right-of-way width for turning lanes. The portion of Durango Drive without a sidewalk is less than 300 feet long, and an existing attached sidewalk exists on either side of this portion of the street frontage.

Landscaping behind the attached sidewalk varies from over 80 feet wide (where a substantial slope exists) to 15 feet wide near Sunset Road. Landscaping along Sunset Road includes a detached sidewalk with approximately 17 feet of landscaping, although a portion of the frontage also includes an attached sidewalk to accommodate a turning lane with 15 feet of landscaping behind the sidewalk. Street landscaping meets all the minimum requirements along Butler Street and Pitching Avenue.

Within the parking lot, the plans depict diamond parking lot planters. A design review is necessary to allow diamond parking lot planters in lieu of parking lot landscape fingers; and a waiver of development standards is necessary for portions of the parking lot that exceed 6 parking spaces or 12 parking spaces when adjacent to a landscape planter without a landscape finger (or half diamond planter). However, even though the project utilizes diamond planters, the total number of trees exceed Title 30 standards for the site.

#### Elevations

The plans depict a 3 story, 60 foot tall building with parapet walls at various heights along the roofline. Off-set elevation planes and various materials help reduce the apparent mass of the building. Exterior materials include Texas limestone veneer, transparent glazing, white frosted glazing, bronze aluminum storefronts, and 2 types of EIFS. Overall, the building is designed with complementary earth tone colors and materials.

Exterior fixtures (luminaries) are mounted around the building at a height of 25 feet. A waiver of development standards is necessary to allow the luminaries higher than the line of the first story eave, or 14 feet above grade, whichever is lower.

#### Floor Plans

Within the 125,500 square foot health club, the floor plans depict a variety of areas for sports and fitness activities including weight lifting, running and aerobic exercises; group fitness classes; game courts such as basketball, volleyball, tennis, racquetball, and squash; indoor and outdoor pools, and personal training areas. The facility also includes a variety of accessory commercial uses such as health and wellness assessment (metabolic assessments, blood draws for lab testing, chiropractor treatment, physical therapy, and nutrition coaching), recreation and leisure activities (indoor and outdoor leisure pools, water slides, whirlpool baths/spas, steam room/saunas, and indoor/outdoor playgrounds), children activities (child care, day care, day camps, skill and subject matter lessons such as swimming, gymnastics, tumbling, art, language, and martial arts), saloon and spa activities (massage, personal services, laser services such as age and brown spot removal, medical aesthetic services, injectable services such as Botox and dermal fillers, and personal care product sales), food and beverage sales (nonalcoholic, alcoholic beverages, and liquor services for on-premises consumption; packaged beer, wine, spirits, and liquor sales; and restaurant and take-out food services), and retail sales (health and fitness related items and nutritional supplements).

In addition, miscellaneous areas include membership sales and employee offices, showers, lockers, and preview centers. Regarding massage, this use will occupy approximately 1,000 square feet, which is 0.8 percent of the floor area (Title 30 requires that massage occupy less

than 25 percent of the floor area). Lastly, the on-premises consumption of alcohol will occur within the building and around the outdoor pool/amenity area.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the conforming zone change to C-2 zoning is appropriate due to the location adjacent to the CC 215, Durango Drive, and Sunset Road. In addition, the location is across the street from IKEA, and several multiple story office buildings are located in the area. As a result, the increase in height to 60 feet is compatible with existing development and will not have any negative impacts. Similarly, the increase in height for exterior fixtures (luminaries) will not have any impacts since the site is located adjacent to the CC 215, the site is located on a recessed grade, and the lighting will not impact any residential properties.

Regarding the design review for landscaping diamonds in the parking lot and the waiver of development standards to reduce landscaping fingers, the applicant indicates that additional trees are located throughout the site in excess of Title 30 standards to off-set these landscaping reductions.

Lastly, the applicant indicates that the reduced throat depths and alternative driveway geometrics on Pitching Avenue and Butler Street will not create any negative impacts since these are secondary access points to the site. Most vehicles will enter the site from Durango Drive and Sunset Road.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VS-19-0817	Vacated and abandoned easements	Approved/ denied by BCC	December 2019
UC-1051-07 (ET-0107-09)	First extension of time to complete modified pedestrian realm requirements - expired	Approved by BCC	July 2009
UC-1051-07	Modified pedestrian realm requirements in conjunction with an approved mixed-use project	Approved by BCC	November 2007
ZC-0189-06 (WC-0304-07)	Waived noise level reduction requirements - expired	Approved by BCC	November 2007
ZC-0189-06	Reclassified the site to U-V zoning for a mixed-use project - expired	Approved by BCC	May 2006
ZC-0829-02	Reclassified a portion of the site to M-D zoning for a plant nursery, for an off-premises sign	Approved by BCC	August 2002
ZC-1844-00	Reclassified a portion of the site to C-2 zoning for a convenience store and retail center	Approved by BCC	January 2001

### Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Convenience store, gasoline station, & medical office building
South	Commercial General	U-V	Approved mixed-use development
East	Commercial General	C-2	Office buildings & undeveloped
West	Commercial Tourist	C-2	Large scale retail business (IKEA)

### 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 that is within the range of non-residential intensities anticipated for the site by the Spring Valley Land Use Plan. The subject site is over 15 acres, which is above the minimum 10 acre size for C-2 zoning recommended by Title 30 to create nodes of regional commercial activity. In addition, the adjacent properties to the east are zoned C-2 and developed with office and commercial uses, the abutting property to the north across Sunset Road is zoned C-2 and developed with office and commercial uses, and the abutting property to the west across Durango Drive is zoned C-2 and developed with a regional shopping center (IKEA). Therefore, the conforming zone boundary amendment is compatible with the adjacent and abutting uses, which is consistent with Goal 1 in the Comprehensive Master Plan that promotes economic viability and employment opportunities with development that is compatible with adjacent land uses.

##### 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 subject site is approximately 30 feet lower than the adjacent Rafael Rivera Way and Durango Drive. As a result, the increased height of the building will not appear as massive or imposing as if the building was set at the same grade as the adjacent roadways. Although the grade of the site is similar to the grade of Sunset Road, the building is located on the south side of the site, set back over 300 feet from Sunset Road. Lastly, several existing buildings in the area are multi-story, including IKEA and office buildings. As a result, the increased height will not create any negative visual impacts.

Similarly, the increased height for the exterior fixtures (luminaries) is appropriate for the scale of building. The site is adjacent to CC 215 and Durango Drive, both of which are at a higher grade

than the building, which will help block the visibility of the exterior fixtures. In addition, the site is surrounded by existing and planned commercial development, and staff does not foresee any negative visual impacts from the increased height of the exterior fixtures.

#### Waiver of Development Standards #3 & Design Review #1

Although portions of the site do not meet the minimum number of trees in the parking lot and the applicant is utilizing landscape diamonds in lieu of landscape fingers, staff finds that the overall site is well landscaped and aesthetically pleasing. The number of trees on the site exceeds Title 30 standards, and landscaping is provided adjacent to all the roadways, around the base of the buildings, and within the parking lot. In addition, landscaping is located adjacent to the walkways in the parking lot. As a result, staff finds that the landscaping is appropriate and consistent with Urban Specific Policy 67, which states in part that appropriate landscaping should be incorporated into all commercial developments. Furthermore, the landscaping is consistent with Urban Specific Policy 73, which encourages perimeter and interior parking lot trees for shade and visual relief.

#### Design Review #2

Overall, staff finds that the health club and accessory commercial uses are well designed and appropriate at this location. The design is consistent with the following Urban Specific Policies: Policy 68, which encourages loading areas and overhead roll-up doors to be screened from public streets (the loading area and overhead roll-up doors are located on the south side of the health club and screened from view); Policy 74, which encourages the siting of a portion of the building area at the street perimeter to strengthen the streetscape and screen off-street parking areas (2 lots are reserved for future development along Sunset Road); and Policy 78, which encourages architectural treatments on all sides of the building (the health club includes similar architectural detailing, materials, and design on all 4 sides of the building). Therefore, staff can support the design review.

#### **Public Works - Development Review**

##### Waiver of Development Standards #4a

Staff finds that the reduced throat depth on the Pitching Avenue driveway will have a minimal impact on the limited traffic in the area.

##### Waiver of Development Standards #4b & #4c

Staff cannot support the request for the modified driveway design and the elimination of the throat depth for the driveway on Butler Street at the knuckle of Butler Street and Pitching Avenue. The site is large enough for the driveway to be designed in accordance with curb return driveway standards. Additionally, there is no practical reason that a larger throat depth cannot be provided so vehicles can safely use the driveway.

#### **Staff Recommendation**

Approval of the zone change, waivers of development standards #1, #2, #3, #4a, and the design reviews; denial of waivers of development standards #4b and #4c.



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;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the waivers of development standards and design reviews must commence within 2 years of the approval date or they will expire.

**Public Works - Development Review**

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include a portion of Rafael Rivera Way if required by Public Works - Design Division;
- If required by the Regional Transportation Commission (RTC), dedicate and construct right-of-way for bus turnout including passenger loading/shelter areas in accordance with RTC standards;
- Vacate any unnecessary rights-of-way.
- Applicant is advised that the installation of detached sidewalks will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

**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](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0657-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: LFT REAL ESTATE COMPANY, INC**

**CONTACT: JENNIFER LAZOVICH, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA DRIVE, SUITE 650, LAS VEGAS, NV 89135**

