



# Sunrise Manor Town Advisory Board

Hollywood Recreation Center

1650 S. Hollywood Blvd.

Las Vegas, NV 89142

January 16, 2020

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 Beatriz Martinez at 702-455-0560 and is/will be available at the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).

**Board Members:**

Max Carter – Chair

Alexandria Malone- Vice-Chair

Earl Barbeau-Member

Paul Thomas-Member

Briceida Castro-Member

**Secretary:**

Jill Leiva, 702-334-6892

**County Liaison:**

Kelly Benavidez, Beatriz Martinez

- 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 January 2, 2020 Minutes (For possible action)

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

IV. Approval of Agenda for January 16, 2020 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)
2. Receive a presentation from the US Census Bureau about the upcoming 2020 Census. (For discussion only)

VI. Planning & Zoning

**01/21/20 PC**

1. **UC-19-0745-BAHNAN, JOE A.:**  
**AMENDED HOLDOVER USE PERMITS** for the following: **1)** proposed convenience store; and **2)** proposed alcohol sales, liquor – packaged only as a principal use.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduced parking; **2)** reduced separation for a trash enclosure; **3)** alternative landscaping; **4)** reduced driveway separation; and **5)** alternative driveway geometrics (previously not notified).  
**DESIGN REVIEWS** for the following: **1)** proposed retail building; and **2)** alternative parking lot landscaping on 0.4 acres in a C-1 (Local Business) Zone. Generally located on the south side of Charleston Boulevard and the east side of Mojave Road within Sunrise Manor. TS/pb/ja (For possible action)**01/21/20 PC**

**01/22/20 BCC**

2. **UC-19-0912-VAZQUEZ, TRACI:**  
**USE PERMIT** to increase the number of agricultural-livestock, large (horse).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce side setback for agricultural accessory structure; **2)** increase the number of driveways to 2 in conjunction with a single family residence on approximately 0.8 acres in an R-E (Rural Estates Residential) Zone. Generally located on the north side of Mabel Road and the east side of Madge Lane within Sunrise Manor. TS/nr/jd (For possible action)**01/22/20 BCC**

**02/05/20 BCC**

3. **UC-19-0964-LAND CARL W. TRUST:**  
**USE PERMITS** for the following: **1)** convenience store; **2)** gasoline station; **3)** reduce the separation from a convenience store to a residential use; and **4)** reduce the separation from a gasoline station to a residential use.  
**DESIGN REVIEW** for a convenience store, gasoline station and restaurant on 1.0 acre in a C-1 (Local Business) Zone. Generally located on the northeast corner of Lake Mead Boulevard and Walnut Road within Sunrise Manor. LW/sd/jd (For possible action)**02/05/20 BCC**
4. **UC-19-0988-NEW ANTIOCH CHRISTIAN FELLOWSHIP:**  
**USE PERMIT** for a place of worship.  
**WAIVER OF DEVELOPMENT STANDARDS** for increased building height.  
**DESIGN REVIEW** for a place of worship on a portion of 6.3 acres in an R-E (Rural Estates Residential) Zone. Generally located 150 feet south of Owens Avenue, on the east side of Radwick Drive within Sunrise Manor. TS/jvm/jd (For possible action)**02/05/20 BCC**
5. **ZC-19-0842-VILLA FABIAN:**  
**ZONE CHANGE** to reclassify 1.6 acres from R-E (Rural Estates Residential) (AE-80 & APZ-1) Zone to M-D (Designed Manufacturing) (AE-80 & APZ-1) Zone for a vehicle repair facility.  
**USE PERMIT** for a vehicle repair facility in an APZ-1 Zone.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow attached sidewalk; **2)** reduced landscaping; **3)** reduced parking; **4)** reduced setbacks; and **5)** allow alternative driveway geometrics.  
**DESIGN REVIEWS** for the following: **1)** auto repair facility with ancillary light manufacturing; and **2)** alternative parking lot landscaping on 2.4 acres in an M-D (Design Manufacturing) (AE-80 & APZ-1) Zone. Generally located on the south side of Cheyenne Avenue, approximately 437 feet west of Nellis Boulevard within Sunrise Manor (description on file). MK/nr/ja (For possible action)**02/05/20BCC**

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

6. **ZC-19-0987-3497 BOULDER HIGHWAY, LLC:**  
**ZONE CHANGE** to reclassify 0.9 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.  
**USE PERMIT** for vehicle repair.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** allow an unscreened service bay door to face the street; **2)** reduce landscaping; **3)** eliminate sidewalk around the base of a building; **4)** eliminate cross access; **5)** reduce parking; and **6)** modified commercial driveway geometrics.  
**DESIGN REVIEW** for vehicle sales and repair facility. Generally located on the northeast side of Boulder Highway, 225 feet southeast of Glen Avenue within Sunrise Manor (description on file). TS/jt/jd (For possible action)**02/05/20 BCC**

VII. General Business:

1. Review & Approve the 2020 Sunrise Manor Meeting Calendar(for possible action

- 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 30, 2020

X. Adjournment

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

Hollywood Recreation Center, 1650 S. Hollywood Blvd. LV NV 89142  
Bob Price Recreation Center 2050 Bonnie Lane, LV NV 89156  
Parkdale Community Center 3200 Ferndale LV NV 89121  
Sunrise Library 5400 Harris Ave. LV NV 89110  
<http://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



## Sunrise Manor Town Advisory Board

January 2, 2019

### MINUTES

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Board Members:	Max Carter – Chair – Present Alexandria Malone – Vice Chair –PRESENT Earl Barbeau – PRESENT	Paul Thomas – PRESENT Briceida Castro- PRESENT Planning- Lorna Phegley
Secretary:	Jill Leiva 702 334-6892 <a href="mailto:jillniko@hotmail.com">jillniko@hotmail.com</a>	
County Liaison:	Beatriz Martinez	

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- I. Call to Order, Pledge of Allegiance, Roll Call, County Staff Introductions  
The meeting was called to order at 6:30 p.m.
- II. Public Comment: Mr. Seip spoke about how the secretary did not include his attachment in the draft minutes & that is a violation.
- III. Approval of December 12, 2019 Minutes  
**Moved by: Mr. Carter**  
**Action: Approved**  
**Vote: 4-1**
- IV. Approval of Agenda for January 2, 2020  
**Moved by: Mr. Barbeau**  
**Action: Approved**  
**Vote: 5-0/Unanimous**
- V. Informational Items: None at this time.

## VI. Planning & Zoning

01/21/20 PC

1. **UC-19-0917-ARIANA PROPERTIES, LLC:**  
**USE PERMITS** for the following: 1) vehicle repair; and 2) reduce separation from vehicle repair to a residential use.  
**DESIGN REVIEW** for modifications to the façade of an existing building in conjunction with vehicle sales on 1.0 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Nellis Boulevard, 370 feet south of Washington Avenue within Sunrise Manor. LW/bb/jd (For possible action)01/21/20 PC  
**Moved by: Ms. Malone**  
**Action: Approved per staff recommendations**  
**Vote: 5-0/Unanimous**
2. **UC-19-0930-J MORALES INC:**  
**USE PERMITS** for the following: 1) vehicle sales; 2) retail sales as a principal use; 3) on-premises consumption of alcohol (tavern); 4) reduced separation from a tavern to residential use; and 5) hookah lounge.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) alternative landscaping; and 2) alternative lighting.  
**DESIGN REVIEWS** for the following: 1) alternative parking lot landscaping; and 2) vehicle sales parking lot on 2.0 acres in an H-1 (Limited Resort and Apartment) Zone. Generally located on the southwest corner of Vegas Valley Drive and Sandhill Road within Sunrise Manor. TS/bb/jd (For possible action)01/21/20 PC  
**Moved by: Ms. Castro**  
**Action: Approved with staffs if approved conditions**  
**Vote: 5-0/Unanimous**
3. **UC-19-0935-MARX R T FAMILY TRUST & MARX RAYMOND P & TRACI TRS:**  
**USE PERMIT** to allow a 2,064 square foot accessory apartment where 1,500 square feet is allowed per Table 30.44-1 in conjunction with a single family residence on 0.5 acres in an R-E (Rural Estates Residential) Zone. Generally located 300 feet west of Beesley Drive and north of Linden Avenue on Pooh Corner Court within Sunrise Manor. TS/bb/jd (For possible action)01/21/20 PC  
**Moved by: Ms. Malone**  
**Action: Approved per staff recommendations**  
**Vote: 5-0/Unanimous**

01/22/20 BCC

4. **UC-19-0914-WATERS, WILLIAM & MARIETTE:**  
**USE PERMITS** for the following: 1) commercial vehicle repair; and 2) office as a principal use.  
**WAIVER OF DEVELOPMENT STANDARDS** for reduced parking.  
**DESIGN REVIEWS** for the following: 1) warehouse development; and 2) increased finished grade on 7.2 acres in the M-D (Designed Manufacturing) (AE-65) Zone. Generally located on the northwest side of Las Vegas Boulevard North and 900 feet southwest of Puebla Street within Sunrise Manor. MK/bb/jd (For possible action)01/22/20 BCC  
**Moved by: Mr. Thomas**  
**Action: Approved per staff recommendations**  
**Vote: 5-0/Unanimous**

VII. General Business:None

VIII. Public Comment: Ms. Phegley brought up that there was an error and an applicant's item was not on the agenda. Tracy & Jorge Vasquez gave a brief summary about their application-no action was made. Mr. Seip mentioned that Tree line Dr. was closed down without any notification because of an energy issue. He also mentioned that there are no plans right now to have a bike lane on Tree line Dr. (no attachments). Mr. Barbeau brought up that he thinks that his water bill is ridiculous. His water usage was only \$18 however there were approx..\$50 in other charges. Mr. Barbeau also mentioned that Hollywood Blvd. looks beautiful, however on the east side of Hollywood Blvd. some parts no longer get mail delivery.

IX. Next Meeting Date: The next regular meeting will be January 16, 2020

X. Adjournment  
The meeting was adjourned at 7:15 p.m.

BOARD OF COUNTY COMMISSIONERS  
MARILYN KIRKPATRICK, Chair-LAWRENCE WEEKLY, Vice-Chair  
SLARRY BROWN-JAMES GIBSON-JUSTIN JONES-MICHAEL NAFT-TICK SEGERBLOM  
Yolanda King, County Manager

RETAIL BUILDING  
(TITLE 30)

**UPDATE**  
CHARLESTON BLVD/MOJAVE RD

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0745-BAHNAN, JOE A.:**

**AMENDED HOLDOVER USE PERMITS** for the following: 1) proposed convenience store; and 2) proposed alcohol sales, liquor – packaged only as a principal use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced parking; 2) reduced separation for a trash enclosure; 3) alternative landscaping; 4) reduced driveway separation; and 5) alternative driveway geometrics (previously not notified).

**DESIGN REVIEWS** for the following: 1) proposed retail building; and 2) alternative parking lot landscaping on 0.4 acres in a C-1 (Local Business) Zone.

Generally located on the south side of Charleston Boulevard and the east side of Mojave Road within Sunrise Manor. TS/pb/ja (For possible action)

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RELATED INFORMATION:

**APN:**  
162-01-510-001

**USE PERMITS**

1. a. Allow a convenience store.
- b. Reduce the setback from the right-of-way line of a section line street (Charleston Boulevard) to 15 feet where 30 feet is required per Table 30.44-1 (a 50% reduction).
2. Allow alcohol sales, liquor – packaged only as a principal use.

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce parking to 21 spaces where 24 spaces are required per Table 30.60-1 (a 12.5% reduction).
2. Reduce the separation between a trash enclosure and a residential use to 20 feet where 50 feet is required per Section 30.56.120 (a 60% reduction).
3. Allow a 4 foot wide landscaping area adjacent to a proposed attached sidewalk along Charleston Boulevard where a 15 foot wide landscape area is required per Section 36.64.030.
4. Reduce the approach distance from the driveway along Mojave Road to the intersection of Charleston Boulevard to 61 feet (previously notified as 80 feet) where 150 feet is required per Uniform Standard Drawing 222.1 (a 59.3% reduction).
5. a. Reduce the throat depth to 6 feet where 25 feet is the minimum required per Uniform Standard Drawing 222.1 (a 76% reduction) (previously not notified).

- b. Allow a modified commercial curb return driveway with a partial ingress radius of 25 feet where a 25 foot radius must begin at a point of curvature along a street per Uniform Standard Drawing 222.1 (previously not notified).

**DESIGN REVIEWS:**

1. Retail building.
2. Alternative parking lot landscaping standards per Figure 30.64-14.

**LAND USE PLAN:**

SUNRISE MANOR - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3121 E. Charleston Boulevard
- Site Acreage: 0.4
- Project Type: Retail building with a convenience store and a packaged liquor store
- Number of Stories: 1
- Building Height (feet): 19
- Square Feet: 6,000
- Parking Required/Provided: 24/21

Site Plans

The plans depict a 6,000 square foot retail building with a convenience store and a packaged liquor store located on the eastern portion of the site. The parking area is located on the western portion of the site with the trash enclosure and loading area located adjacent to the south property line. The site has access to Mojave Road via 1 driveway that is approximately 80 feet from the intersection with Charleston Boulevard.

Landscaping

A landscape area between 4 feet and 15 feet wide is located adjacent to an attached sidewalk along Charleston Boulevard and a 10 foot wide landscape area is located adjacent to an attached sidewalk along Mojave Road. An 11 foot wide landscape area is located along the south property line adjacent to the Maple Street alley. The parking spaces in front of the building do not have landscape fingers every 6 spaces as required per Code. The landscape materials include trees, shrubs, and groundcover.

Elevations

The building is 19 feet in height with a flat roof and parapet walls. The façade consists of stucco siding in various shades of brown, pop-outs, and storefront window and door treatments.

Floor Plans

The 6,000 square foot building has a 2,100 square foot convenience store located in the northern portion of the building and a 3,900 square foot packaged liquor store located in the southern portion of the building.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates the use and design of the site are compatible with the existing development in the area and the improvements exceed the standards of the neighboring properties.

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	City of Las Vegas	M	Office
South	Residential High (8 to 18 du/ac)	R-2	Manufactured home park
East	Commercial Neighborhood	C-2	Vehicle maintenance
West	Residential High (8 to 18 du/ac)	R-2	Undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permits

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

Use Permit #1

Although staff has no objection to a convenience store at this location, staff is concerned about the portion of the request to reduce the setback from Charleston Boulevard and the waivers of the development standards which accompany this request. The use permit and the waivers requested are only necessary due to the design of the project which is a self-imposed hardship. Staff finds a convenience store can be redesigned to eliminate the reduction in setback; therefore, staff cannot support this request.

Use Permit #2

The C-1 (Local Business) zone is established to provide for the development of retail business uses or personal services and to serve as a convenience to neighborhoods and limited local markets. There are existing and proposed residential uses to the south and west; therefore, staff finds that a packaged liquor store would be too intense for this site, and the immediate area and other options for this service are available in the general area; therefore, staff cannot support this request.

Waivers of Development Standards

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the



property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

#### Waivers of Development Standards #1, #2, & #3

The numerous waivers of development standards requested are only necessary due to the design of the project which is a self-imposed hardship. The building is too large for the site and creates the need for several of the waivers. Staff finds the number and types of waivers of development standards requested are excessive and the applicant has not provided sufficient justification for or mitigation for these waivers; therefore, staff cannot support the requested waivers of development standards.

#### Design Reviews

Approval of the design of this project is contingent upon approval of the accompanying use permits and waivers of development standards which staff does not support. The request conflicts with several policies in the Comprehensive Master Plan including Urban Specific Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns, especially when the adjacent land use is a lower density or intensity, and Urban Specific Policy 77 which encourages the placement of required parking areas to be located behind the principal building(s) on the site; therefore, staff cannot support this request.

#### Public Works - Development Review

##### Waivers of Development Standards #4 & #5

Staff finds that the requested waivers for the location and design of the driveway are appropriate for this site as the limited frontage on Mojave Road necessitates an alternative design. If the full curb return driveway were installed, the already significantly reduced approach distance of 61 feet would be reduced even more. Safety increases as the distance from the driveway to the intersection increases. However, since Planning cannot support the overall site design and the driveway is an integral part of that design, staff is recommending denial of waivers #4 and #5.

#### Staff Recommendation

##### **Denial.**

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

If approved:

- Provide landscape material in accordance with Figure 30.64-13 in the landscape area between the building and Charleston Boulevard and the Maple Street (alley) to the south.

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that approval of this application does not constitute or imply approval of a liquor or gaming license or any other County issued permit, license, or approval; 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 Nevada Department of Transportation or Public Works - Development Review Division, right-of-way dedication to include a property line radius per Uniform Standard Drawing 201;**
- **Nevada Department of Transportation approval;**
- **Reconstruct any unused driveways with full off-site improvements.**
- **Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.**

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email [sewerlocation@cleanwaterteam.com](mailto:sewerlocation@cleanwaterteam.com) and reference POC Tracking #0526-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC: Sunrise Manor - denial.**

**APPROVALS: 3 cards**

**PROTESTS: 2 cards**

**PLANNING COMMISSION ACTION:** November 5, 2019 – HELD – To 12/17/19 – per the applicant to rewrite/re-notify.

**PLANNING COMMISSION ACTION:** December 17, 2019 – HELD – To 01/21/20 – per applicant to return to the Sunrise Manor Town Board.

**APPLICANT: JOE BAHNAN**

**CONTACT: DAVID STRAIT, D. W. STRAIT ARCHITECTURE, 1223 HEATHER OAKS WAY, N. LAS VEGAS, NV 89031**

01/22/20 BCC AGENDA SHEET

AGRICULTURAL-LIVESTOCK  
MADGE LN/MABEL RD  
(TITLE 30)

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0912-VAZQUEZ, TRACI:**

**USE PERMIT** to increase the number of agricultural-livestock, large (horse).  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduce side setback for agricultural accessory structure; 2) increase the number of driveways to 2 in conjunction with a single family residence on approximately 0.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the north side of Mabel Road and the east side of Madge Lane within Sunrise Manor. TS/nr/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
140-34-310-012

**USE PERMIT:**  
Increase the number of agricultural-livestock, large (horse) to 5 where 4 are allowed per Table 30.44-1 (a 25% increase).

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Reduce side setback for an agricultural accessory structure (horse stall) to 3 feet where 5 feet is required per Table 30.42-2 (a 40% increase)
2. Increase the number of driveways to 2 where 1 driveway is the maximum allowed per Uniform Standard Drawing 222.1 (a 100% increase).

**LAND USE PLAN:**  
SUNRISE MANOR - RURAL NEIGHBORHOOD PRESERVATION (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 216 Madge Lane
- Site Acreage: 0.8
- Project Type: Increase large animals
- Building Height (feet): 8
- Stall Square Feet: 400

Site Plans

The plans show an existing 1,075 square foot single family residence, a 350 square foot casita, a 464 square foot accessory structure, and a 168 square foot pump house. Five horse stalls are located on the north (interior) side of the property, 3 feet from the property line. Each horse stall measures 20 foot wide by 20 foot deep with an 8 foot high attached shade cover. A 15,000 square foot horse arena with 5 foot high fencing surrounding the arena is located on the south side of the property. The entire property is surrounded by 4 foot high fencing. There is a driveway located on the Madge Lane and the second driveway is located on Mabel Road.

Landscaping

There are 2 existing mature trees located in the front yard. Landscaping is not a part of this request.

Elevations

The picture shows that each horse stall is 8 foot high with an attached shade cover.

Applicant's Justification

The applicant indicates that the 5 horses have been together for many years and it would be unfortunate to separate them. The property owner states that permission for the encroachment into the north (interior side) setbacks for the horse stalls was obtained from the neighbor to the north prior to construction. A letter of support has been submitted from the neighbor to the north. The applicant requests to keep the 5 horses and the horse stalls in the current location. The applicant also requests to keep the 2 driveways for property access.

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
East	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Undeveloped

**Clark County Public Response Office (CCPRO)**

Case CE19-15524 is an active case filed in October 2019 in regard to setback encroachment for unpermitted structures and excess large animals.

**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.

Title 30 allows a property owner to have 1 large animal per 7,500 square foot of lot area. Based on the size of the property the applicant would be allowed 4 horses. The request for 1 additional horse seems appropriate due to the size of the lot and the orientation of the structures on the lot. Staff finds that the allowance of 1 additional horse will not have a negative impact on the surrounding area; therefore, staff can support the request.

#### 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

Setbacks and separations help to preserve the appeal and integrity of a neighborhood as well as mitigate impacts and possible safety issues. The horse stalls and accessory structures within the setbacks are not common in the surrounding area. Also the horse stalls and the exercise area exceed Code requirements. Although a letter of support has been received from the neighbor to the north, staff finds that the applicant has not provided justification as to why the setback should be reduced for the horse stalls. Therefore, staff cannot support the request.

#### Public Works - Development Review

##### Waiver of Development Standards #2

Staff can support the request for the additional driveway as it has no direct impact on any improvements or within the public right-of-way.

#### **Staff Recommendation**

Approval of the use permit and waiver of development standards #2; denial of waiver of development standards #1.

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**

- 1 year to complete with any extension of time to be a public hearing;
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; 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**

- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:** 1 letter from the neighbor to the north.

**PROTESTS:**

**APPLICANT:** TRACI VAZQUEZ

**CONTACT:** TRACI VAZQUEZ, 216 MADGE LN., LAS VEGAS, NV 89110

DRAFT

02/05/20 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION  
RESTUARANT  
(TITLE 30)

WALNUT RD/LAKE MEAD BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-19-0964-LAND CARL W. TRUST:**

**USE PERMITS** for the following: **1)** convenience store; **2)** gasoline station; **3)** reduce the separation from a convenience store to a residential use; and **4)** reduce the separation from a gasoline station to a residential use.

**DESIGN REVIEW** for a convenience store, gasoline station and restaurant on 1.0 acre in a C-1 (Local Business) Zone.

Generally located on the northeast corner of Lake Mead Boulevard and Walnut Road within Sunrise Manor. LW/sd/jd (For possible action)

---

RELATED INFORMATION:

**APN:**

140-19-611-001

**USE PERMITS:**

1. Allow a convenience store.
2. Allow a gasoline station.
3. Reduce the separation from a proposed convenience store to a residential use to 39 feet where 200 feet is required per Table 30.44-1 (an 80% reduction).
4. Reduce the separation from a gasoline station to a residential use to 185 feet where 200 feet is required per Table 30.44-1 (an 8% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 1
- Project Type: Convenience store, gasoline station, and restaurant
- Number of Stories: 1
- Building Height (feet): 28 (building)/21 (gasoline canopy)
- Square Feet: 3,200 (convenience store)/1,300 (restaurant)

- Parking Required/Provided: 26/27 (subject site)/53/66 (entire development)

#### History & Site Plan

The Board of County Commissioners approved ZC-0190-08 in April 2008 to change the zoning of the subject parcel and the 1 acre parcel to the east to C-1 zoning. The application also included a design review for Phase 1 which consisted of a retail building on the parcel to the east. This application is Phase 2 of the development and consists of 1 new building for a convenience store, gasoline station, restaurant, and 1 new fuel canopy. Access to the project site is from Walnut Road to the west and Lake Mead Boulevard to the south. The building is proposed to be constructed 69 feet from the northern property line, 27 feet from Walnut Road, 160 feet from Lake Mead Boulevard, and 51 feet from the eastern property line. A drive-isle serving the restaurant is proposed with a vehicle entrance to the northwest of the building and service window on the west. The drive-thru menu/ordering board faces northwest. The fuel canopy will be located 57 feet south of the proposed building, 34 feet from Walnut Road, 63 feet from Lake Mead Boulevard, and 31 feet from the eastern property boundary. Parking is provided along the eastern and southern property boundaries, with 6 parking spaces located immediately south of the building. The site also has cross access and shared parking with the retail store to the east.

#### Landscaping

The plans depict a 15 foot wide landscape area along Lake Mead Boulevard and Walnut Road and a 12 foot wide landscape area along the north property line. Landscape islands exist in portions of the parking lot at the ends of each row, and parking along the east property line and in front of the proposed building. An 8 foot wide landscape area along the east property line is proposed and 5 feet on eastern property line. A 6 foot high wall also exists on the north property line.

#### Elevations

The plans depict a 28 foot high retail commercial building constructed of stucco finish, aluminum storefront windows and standing metal seam roof, and a parapet cap. The gasoline canopy will be 20 feet, 6 inches in height. The canopy will be a metal structure with steel members to be painted with epoxy coating with a color to match the convenience store. Steel columns will also be painted with a color to match the canopy with ledge stone veneer at the base.

#### Floor Plans

The plans depict a 3,200 square foot convenience store and a 1,300 square foot restaurant. The restaurant portion includes an area for seating and a kitchen with shared bathrooms with the convenience store. The convenience store portion includes an area with retail products and cashier station. The gasoline canopy will provide cover for 6 gasoline pumps.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant states that this proposed project complies with all provisions of the development Code. The C-1 zone provides for low to medium retail intensity and commercial uses that will serve local residents. The applicant designed the project to avoid impacts and is designed to face



away from the adjacent residential uses. Other design elements include the building having full cut-off, shielded low level lighting on the facade that faces north; a drive aisle that functions as a transitional space; shielded LED parking lot lights at low level, and an intense landscaping buffer along the north property line.

**Prior Land Use Requests**

Application Number	Request	Action	Date
DR-0815-17	Design review for a restaurant and drive-thru - expired	Approved by BCC	November 2017
TM-0046-08	Commercial subdivision	Approved by BCC	April 2008
ZC-0190-08	2 acres from R-2 to C-1 zoning for a retail store on 1 acre parcel to the east; waived street landscape buffer - expired	Approved by BCC	April 2008

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential
South, West & East	Commercial Neighborhood	C-1	Retail gasoline station, convenience store/undeveloped

**STANDARDS FOR APPROVAL:**

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

**Analysis**

**Current Planning**

Use Permits

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

Staff finds the proposed convenience store and gasoline station with reduced separation to a residential use does not comply with Commercial Policy 67 of the Comprehensive Master Plan, which states that site planning of commercial developments should be compatible with abutting uses through buffers, setbacks, landscaping, building height and adjoining uses. Currently, there are already 2 existing convenience stores and gasoline stations across Lake Mead Boulevard. While those uses are located on similar size parcels, 1 is not located next to existing residences and the other was constructed more than 30 years ago, approximately at the same time as the multi-family residences, which exists to the south. This project is more intense (includes a restaurant with drive-thru lane); therefore, has the potential to impact the adjacent residence to the north, located in a Rural Neighborhood Preservation land use designation. In addition, the

proposed drive-thru menu order board as designed faces more towards the northwest and not directly west, which will also have the potential to impact the residences to the northwest.

#### Design Review

Approval of the design review is contingent upon approval of the use permits. As staff is not supporting the use permits, staff cannot recommend approval of the design review. Staff finds the proposed project does not conform to Commercial Policy 67 of the Comprehensive Master Plan, which states that site planning of commercial developments should be compatible with abutting uses through appropriate design and layout.

#### **Staff Recommendation**

Denial.

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

#### **PRELIMINARY STAFF CONDITIONS:**

##### **Current Planning**

If approved:

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised 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 along Walnut Road.

##### **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 #0717-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ACTIVE COMMERCIAL, LLC

**CONTACT:** DIONICIO GORDILLO, 204 BELLE ISLE CT, HENDERSON, NV 89012

PLACE OF WORSHIP  
(TITLE 30)

OWENS AVE/RADWICK DR

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**UC-19-0988-NEW ANTIOCH CHRISTIAN FELLOWSHIP:**

**USE PERMIT** for a place of worship.  
**WAIVER OF DEVELOPMENT STANDARDS** for increased building height.  
**DESIGN REVIEW** for a place of worship on a portion of 6.3 acres in an R-E (Rural Estates Residential) Zone.

Generally located 150 feet south of Owens Avenue, on the east side of Radwick Drive within Sunrise Manor. TS/jvm/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**  
140-26-103-006 ptn

**WAIVER OF DEVELOPMENT STANDARDS:**  
Increase the height of a place of worship to 40 feet where 35 feet is the standard (a 12.5% increase).

**LAND USE PLAN:**  
SUNRISE MANOR - RURAL NEIGHBORHOOD (UP TO 2 DU/AC)

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: N/A
- Site Acreage: 6.3 (portion)
- Project Type: Place of worship
- Number of Stories: 1
- Building Height (feet): 40
- Square Feet: 17,680
- Parking Required/Provided: 177/178

**Site Plans**

The plans depict the place of worship located in the southern central portion of the overall parcel. Ingress/egress to the site will be by 2, 32 foot wide commercial curb return driveways from Radwick Drive. The primary parking lot is located to the west of the place of worship, with additional parking located around the site. The trash enclosure is located to the south of the

building away from the existing residential properties. The plans designate the remaining undeveloped portion of the site for future expansion and parking spaces.

Landscaping

The landscaping provided along Radwick Drive and within the parking areas complies with Title 30 standards. The plans are also depicting 24 inch box Mondell pines spaced 20 feet on center along the drainage channel adjacent to the southern boundary. The Mondell pines continue easterly and northerly around the development parcel. The north edge of the development area has 24 inch box shoestring acacia trees every 20 feet on center. There is also landscaping scattered throughout the parking areas and around the building.

Elevations

The elevations indicate the building will have a pitched decorative metal roof. The exterior walls will be a combination of stucco and split-face block. To enhance the elevations of the building window fenestrations, glass block and other architectural elements have been added to the building. There will be glass block windows along all sides of the building.

Floor Plans

The t-shaped building has meeting rooms and offices located within the wings of the t-shape. When entering through the front doors of the place of worship you first enter a vestibule which leads through the doors to the sanctuary. Other rooms include a cry room, restrooms, and a bookroom.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the place of worship is located more than 150 feet from any residential use and that no views of existing development will be obstructed.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-0110-10	Place of worship - expired	Approved by BCC	August 2010

**Surrounding Land Use**

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

## **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### Use Permit

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

A place of worship requires consideration of a special use permit to assess and ensure compatibility with existing or planned surrounding uses. Compatibility refers to characteristics of different land uses that allow them to be harmoniously located near or adjacent to each other with minimal impacts. Compatible use considerations may include a range of activities and design features related to existing and proposed development, such as but not limited to height, scale, mass, density, architecture, landscaping, hours of operation, and environmental impacts.

With appropriate building siting, required parking, and appropriate buffering, a place of worship can be consistent and compatible with residential neighborhoods in consideration of Title 30 and the Comprehensive Master Plan. Many places of worship have been approved and developed in Rural Neighborhood Preservation (RNP) areas with no adverse impacts to the community. Staff finds the establishment of a place of worship at this location is consistent with all Title 30 provisions, but has concerns regarding the site and building design and other elements of the project. Those concerns will be addressed with the design review portion of this request.

Staff can support the place of worship use for the following reasons: 1) the place of worship is near the intersection of an arterial street and a collector street; 2) the building setbacks exceed Title 30 minimum requirements; and 3) the required parking is being provided.

##### 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.

The applicant is requesting an approximate 12% increase in the height of the building and the property to the south is a school and public park on a higher elevation. Similar or greater building heights have been approved in the County for other places of worship. Therefore, staff can support this waiver.

### Design Review

One of the major issues identified in the land use plan updates is the compatibility of new developments within or adjacent to RNP areas. Viable RNP areas typically develop at a much slower rate than other single family areas in the Las Vegas Valley, with generally a few custom built homes being constructed each year. Therefore, it is essential that new developments are compatible and consistent with existing developed properties in the area. The considerations for compatibility may include design features related to existing and proposed developments, such as, but not limited to height, mass, density, and architecture. Compatibility refers to the sensitivity of development proposals in maintaining the character of existing areas. Therefore, bulk parameters located within the immediate area many times are used as a gauge in determining compatibility. Simply defined, bulk is the size and relationship of a building and its location with respect to lot lines, streets, and other buildings. Bulk regulations are standards and controls that establish, among other items, density, lot size, lot coverage, setbacks, height, and yard requirements. Aside from low density and the potential for equine facilities, RNP areas are characterized by their bulk standards.

Staff finds the plans depict building elevations, with corresponding height and bulk, design characteristics, and other architectural and aesthetic features, that are not harmonious and compatible with development in the area. The 17,680 square foot place of worship building with a maximum vertical height of 40 feet is not sensitive to existing neighborhood character with regard to scale, use of materials, and bulk. The size, height, and massing of the building far exceeds the scale and massing of the nearby residential buildings and does not further or maintain a consistent visual character of the residential character and pattern. The closest residential properties that have single family residential buildings range in size from approximately 3,500 square feet to about 4,800 square feet. The immediate area is within the RNP land use category. While local supporting public facility and quasi-public facility uses can be located within the Overlay District, these uses should have appropriate buffering and setbacks, screening, and an orderly and efficient transition of land uses.

Through the use of building placement, distribution of overall building area into smaller scale buildings more consistent with the residential character of the area, site design, and parking lot and street landscaping, the applicant could further minimize the visual dominance of the building and the overall site area. Therefore, staff finds the applicant has not established that the plans satisfy the criteria for approval of a design review and finds the following: 1) the proposed development is not compatible with adjacent development; 2) the proposed development is not consistent with the applicable land use plan and Title 30; and 3) the applicant has not demonstrated compatibility with applicable community goals per Chapter 30.16.010, including complementing and enhancing the character of the neighborhood.

### **Staff Recommendation**

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

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:

- Install intense landscaping per Title 30 along north property line adjacent to APN 140-26-103-001;
- Construct a 6 foot high block wall immediately adjacent to the property line of APN 140-26-103-001;
- Construction of a 6 foot high wrought iron fence along the southern property line adjacent to the drainage easement and Cesar Chavez Park;
- Provide dust mitigation on disturbed yet undeveloped portions of the property in accordance with Clark County requirements;
- Place physical barriers along the edge of the parking lot and driveways at the north and east property lines to prevent vehicle access to disturbed yet undeveloped portions of the property;
- No retaining walls with the exception of any required for construction of the drainage channel, if a wall is required will be subject to Public Works approval;
- No outdoor speakers;
- No outdoor bells;
- After construction is completed, no temporary or portable classroom or meeting structures are allowed on the property;
- Tents, bouncy houses, and other similar structures, the use of which are limited in duration and for which building permits are not required; are not prohibited;
- Monument signage only;
- Mechanical/HVAC equipment to be screened;
- Trash enclosure to be located as shown on site plan;
- No residential occupancy;
- No outdoor events unless associated with the place of worship's activities;
- No drug and alcohol rehabilitation;
- No school use;
- No food banks allowed;
- No day care service with the exception of Sundays;
- Certificate of Occupancy shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

### Public Works - Development Review

- Drainage study and compliance;
- Full off-site improvements;
- Full off-site improvements on Owens Avenue with future development.

**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 #0720-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

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

**APPLICANT:** NEW ANTIOCH CHRISTIAN FELLOWSHIP  
**CONTACT:** JVC ARCHITECTS, 5385 CAMERON ST, SUITE 15, LAS VEGAS, NV 89118

**DRAFT**





# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

- TEXT AMENDMENT (TA)
- ZONE CHANGE
  - CONFORMING (ZC)
  - NONCONFORMING (Nzc)
- USE PERMIT (UC)
- VARIANCE (VC)
- WAIVER OF DEVELOPMENT STANDARDS (WS)
- DESIGN REVIEW (DR)
  - PUBLIC HEARING
- ADMINISTRATIVE DESIGN REVIEW (ADR)
- STREET NAME / NUMBERING CHANGE (SC)
- WAIVER OF CONDITIONS (WC)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)
- ANNEXATION REQUEST (ANX)
- EXTENSION OF TIME (ET)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)
- APPLICATION REVIEW (AR)
  - \_\_\_\_\_  
(ORIGINAL APPLICATION #)

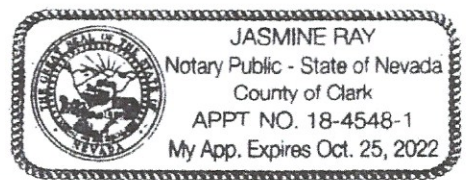
<b>STAFF</b>	DATE FILED: <u>12/17/19</u> PLANNER ASSIGNED: <u>JCT</u> ACCEPTED BY: <u>JCT</u> FEE: <u>\$1,825</u> CHECK #: <u>2003</u> COMMISSIONER: <u>TS</u> OVERLAY(S)? <u>N</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N PFNA? <input type="checkbox"/> Y <input checked="" type="checkbox"/> N APPROVAL/DENIAL BY: <u>N/A</u>	APP. NUMBER: <u>UC-19-0988</u> TAB/CAC: <u>SUNWE MAOR</u> TAB/CAC MTG DATE: <u>1/16/20</u> TIME: <u>6:30</u> PC MEETING DATE: _____ BCC MEETING DATE: <u>2/5/20</u> 9am ZONE / AE / RNP: <u>R-E</u> PLANNED LAND USE: <u>SMRNP</u> NOTIFICATION RADIUS: <u>500</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N LETTER DUE DATE: <u>N/A</u> COMMENCE/COMPLETE: <u>N/A</u>
<b>PROPERTY OWNER</b>	NAME: <u>New Antioch Christian Fellowship</u> ADDRESS: _____ CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89109</u> TELEPHONE: _____ CELL: <u>NA</u> E-MAIL: <u>antiochcdc2019@gmail.com</u>	
<b>APPLICANT</b>	NAME: <u>New Antioch Christian Fellowship</u> ADDRESS: <u>2550 Nature Park Ste 100</u> CITY: <u>North Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89084</u> TELEPHONE: <u>702.655.4227</u> CELL: _____ E-MAIL: <u>antiochchc2019@gmail.com</u> FAX #: <u>NA</u>	
<b>CORRESPONDENT</b>	NAME: <u>JVC Architects</u> ADDRESS: <u>5385 S Cameron Ste 15</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89118</u> TELEPHONE: <u>702.871.3416</u> CELL: _____ E-MAIL: <u>JVC@JVCARCHITECTS.NV</u> FAX #: <u>NA</u>	

ASSESSOR'S PARCEL NUMBER(S): 140-26-103-006  
 PROPERTY ADDRESS and/or CROSS Radwick Dr. and Owens Ave  
 STREETS: PROJECT DESCRIPTION: New Church Facility

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

Naida M. Parson \_\_\_\_\_  
 Property Owner (Signature)\* NAIDA M. PARSON  
 Property Owner (Print)

STATE OF Nevada  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON 22 NOVEMBER 2019 (DATE)  
 By Naida M. Parson  
 NOTARY PUBLIC: Jasmine Ray



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



## Justification Letter

December 16, 2019

Clark County Building Department  
Planning and Development  
500 S. Grand Central Pkwy  
P.O. Box 551841  
Las Vegas, Nevada 89155-1841

Radwick Drive just South of Owens Avenue  
APN 163-18-802-003

UC-19-0988

To Whom It May Concern:

The applicant, The New Antioch Christian Fellowship, respectfully requests approval to construct a 17,680 square foot church building on the east side of Radwick Drive just south of Owens Avenue. The application is requesting a Conditional Use Permit for the new church building and waiver of development standards for the height of the building. This project was similarly approved in 2010 but has expired.

The proposed building has a maximum height of 40'-0" to the peak of the main roof. The building will house a worship space with seating for up to 868 people, meeting rooms, and offices. The site is approximately 6.23 acres with large portions remaining undeveloped at this time.

There are 177 parking spaces where 177 spaces are required indicated, meeting the parking requirements as well as bicycle racks as required. The trash enclosure is shown on the south side of the property away from existing homes.

This application is also requesting a Waiver of Standards for the 40'-0" high building. Only a portion of the roof exceeds the standard 35' allowable height. The building will be located more than 150' from any existing homes and is situated in a way that will not block any existing or potential views to the city.

Thank you for your consideration, we respectfully request your approval.

Sincerely,

Jim Van Compennolle, Architect  
JVC Architects.

VEHICLE REPAIR/LIGHT MANUFACTURING  
(TITLE 30)

CHEYENNE AVE/NELLIS BLVD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-19-0842-VILLA FABIAN:**

**ZONE CHANGE** to reclassify 1.6 acres from R-E (Rural Estates Residential) (AE-80 & APZ-1) Zone to M-D (Designed Manufacturing) (AE-80 & APZ-1) Zone for a vehicle repair facility.

**USE PERMIT** for a vehicle repair facility in an APZ-1 Zone.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow attached sidewalk; 2) reduced landscaping; 3) reduced parking; 4) reduced setbacks; and 5) allow alternative driveway geometrics.

**DESIGN REVIEWS** for the following: 1) auto repair facility with ancillary light manufacturing; and 2) alternative parking lot landscaping on 2.4 acres in an M-D (Design Manufacturing) (AE-80 & APZ-1) Zone.

Generally located on the south side of Cheyenne Avenue, approximately 437 feet west of Nellis Boulevard within Sunrise Manor (description on file). MK/nr/ja (For possible action)

---

RELATED INFORMATION:

**APN:**

140-17-501-005; 140-17-501-006

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow an attached sidewalk where a detached sidewalk is required per Figures 30.64-17 or 30.64-18.
2.
  - a. Reduce parking lot landscaping where Figure 30.64-14 is required.
  - b. Reduce intensive landscaping buffer to 91 feet long and 5 foot wide where 377 feet 4 inches and 10 foot wide are required per Table 30.64-2 (a 76% reduction).
  - c. Allow a 10 foot wide landscape area behind an attached sidewalk where 15 feet is required per Section 30.64.030.
3. Reduced parking to 109 spaces where 166 spaces are required per Table 30.60-1 (a 34.3% reduction).
4. Reduce setbacks to zero feet where 20 feet are required per Table 30.45-5 (a 100% reduction).
5.
  - a. Reduce throat depth to zero feet where 100 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).
  - b. Reduce width of a commercial driveway to 35 feet wide where 36 feet is required per Uniform Standard Drawing 222.1 (a 2.9% reduction).

**LAND USE PLAN:  
SUNRISE MANOR - INDUSTRIAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 5041 E. Cheyenne Ave
- Site Acreage: 2.4
- Project Type: Vehicle repair facility
- Number of Stories: 2
- Building Height (feet): 35 (Building A)
- Square Feet: 13,004 (Building A)/10,000 (future Building B)/9067 (future Building C)
- Parking Required/Provided: 166/109

Site Plans

The plans depict a vehicle repair facility on 2.4 acres. The proposed Building A, a 2 story, 13,004 square foot vehicle repair and light manufacturing shop, will be located on the southern portion of APN 140-17-501-006. Building B and Building C are future buildings for vehicle repair and light manufacturing located on APN 140-17-501-005. Building B will be located along the west property line with a zero foot setback and Building C will be located approximately 53 feet north of the southern property line with an outside storage area between the building and the property line. An 8 foot height CMU block wall is shown extending the length of the western property line, along the length of the south property line, extending northward to join with Building A. The 8 foot high CMU wall will also extend northward from the edge of Building A on the eastern property line to the edge of the property along Cheyenne Avenue. An 8 foot high wrought iron fence is proposed along the outer edge of the landscaping along Cheyenne Avenue which curves with the landscaping with the commercial driveway. Parking is located to the north of Building A (41 spaces), between Building A and future Building B (42 spaces), and north of future Building C (23 spaces). The property is accessed from Cheyenne Avenue from a commercial driveway.

Landscaping

Proposed landscaping includes a 10 foot wide strip with medium trees planted 10 feet on center, behind a 5 foot wide attached sidewalk along Cheyenne Avenue. A 5 foot wide strip is located along the east property line with small trees planted every 20 feet on center. In addition, a 5 foot wide landscape strip is proposed between future Building B and Building C. There is also landscape strips at the ends of the parking areas; however, several landscape fingers are absent thus, requiring a design review for alternative parking lot landscaping.

Elevations

The submitted elevations for Building A depict a mostly 1 story building up to 20 feet, 8 inches tall, with the southwest 32 feet, 8 inches of the overall structure being 2 stories and 35 feet tall. All roofing is flat behind parapet walls. Construction materials consist of split-faced CMU block with several contrasting bands to break-up the blank wall. In addition, there are canopies over the main doors and roll-up doors on the north elevation facing Cheyenne Avenue. The original

approval from UC-19-0604 had the building orientation opposite of the configuration in the current application. Roll-up doors for the vehicle repair are located on the north side of the building, facing Cheyenne Avenue.

Floor Plans

The first floor is made up into 5 separate tenant spaces ranging in size from 1,672 square feet to 2,439 square feet. Each tenant space is shown as an open floor area with a restroom. The second floor is approximately 2,110 square feet and is composed of offices, restrooms, and storage.

Applicant's Justification

The applicant indicates that the proposed facility will predominantly be for his personal vehicles and that the office would be for his private offices. The applicant states that the proposed waivers and design reviews will not decrease the compatibility of different adjacent uses.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-19-0604	Vehicle repair facility/reduced parking/landscaping waivers.	Approved by PC	September 2019
ZC-0191-01	Reclassified the property to M-D zoning for an office/warehouse development	Approved by BCC	April 2001

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Industrial	R-T	Single family residential
South	Industrial	M-1	Landscaping supply business
East	Industrial	C-2	Convenience store
West	Public Facilities	P-F	Nellis Meadows park

**STANDARDS FOR APPROVAL:**

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

**Analysis**  
**Current Planning**  
Zone Change

Staff finds that the proposed zone change for the 1.6 acre portion of the overall site is appropriate and is compatible with the surrounding area. The proposal complies with the Comprehensive Master Plan Urban Specific Policy 100, which encourages compatibility with existing land use patterns.

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 uses can operate in a manner that are harmonious and compatible with the surrounding uses and should not have a negative impact on the surrounding area. This request complies with the Sunrise Manor Land Use Plan which states that non-residential uses, with low concentrations of people are appropriate in APZ-1 Airport Environs Overlay Districts. In addition, the applicant indicates that the auto repair bays for the proposed Building A will be primarily for personal vehicles and that it is not anticipated that there will be employees. Therefore, staff can support the requested use permit.

#### Waivers of Development Standards #1 through #4

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

The site is currently undeveloped. The request to reduce landscaping, side setbacks, and parking are self-imposed hardships and staff cannot support the waiver requests. A redesign of the site to meet Code is possible. The proposed attached sidewalk can be supported by staff due to the fact that the east and the west sides of the property have attached sidewalks.

#### Design Review #1

Staff finds that the proposed project presents an effective layout of building orientation and on-site circulation. The change in orientation of Building A is more cohesive with the overall design of the site. The proposed Building A and future Building B & Building C will be a positive addition to this area of Sunrise Manor and accomplish the development of an in-fill piece of property. The proposed use complies with the Comprehensive Master Plan Urban Specific Policy 101 which aims to ensure that industrial developments are complementary with abutting uses through site planning and building design. However, since staff cannot support the waivers, staff cannot support the design review.

#### Design Review #2

Landscaping requirements around the perimeter of a property enhance a project as well as the surrounding area. In regard to the design review for alternative parking lot landscaping staff finds that the reduction of landscape fingers in combination with required or additional perimeter landscaping could present an effective alternative to the required parking lot landscaping. However, since additional landscaping is not proposed elsewhere on the site, staff cannot support the request.

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

##### Waiver of Development Standards #5a

Staff cannot support the reduced throat depth since the site is accessed from a busy 100 foot wide arterial street. Providing the proper throat depth allows vehicles to safely exit the roadway and have enough room to make an on-site movement without causing any stacking of vehicles in the right-of-way.

Waiver of Development Standards #5b

The driveway shown on the plans is 35 feet wide from the face of curb to the face of curb. County policy requires that the measurement for driveway width is taken from the lip of the gutter to the lip of the gutter. Driveways on collector or arterial streets are required to be a minimum of 36 feet from the lip of the gutter to the lip of the gutter. In this instance, the effective driveway width is only 32 feet where 36 feet is required. The additional width allows for both left turn and right turn movements from the driveway at the same time. Based on the above, staff cannot support this request.

**Staff Recommendation**

Approval of the zone change and use permit; denial of waivers of development standards and the design reviews.

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;
- Design review as a public hearing for future phases;
- Work with the Las Vegas Metropolitan Police Department for the installation of security cameras and surveillance operation.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permit, waivers of development standards and design reviews must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

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

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: FABIAN VILLA**

**CONTACT: FABIAN VILLA, LAS VEGAS WROUGHT IRON INC., 2959 RINGE LN, LAS VEGAS, NV 89156**

**DRAFT**



02/05/20 BCC AGENDA SHEET

VEHICLE SALES & REPAIR  
(TITLE 30)

BOULDER HWY/GLEN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-19-0987-3497 BOULDER HIGHWAY, LLC:**

**ZONE CHANGE** to reclassify 0.9 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.

**USE PERMIT** for vehicle repair.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) allow an unscreened service bay door to face the street; 2) reduce landscaping; 3) eliminate sidewalk around the base of a building; 4) eliminate cross access; 5) reduce parking; and 6) modified commercial driveway geometrics.

**DESIGN REVIEW** for vehicle sales and repair facility.

Generally located on the northeast side of Boulder Highway, 225 feet southeast of Glen Avenue within Sunrise Manor (description on file). TS/jt/jd (For possible action)

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RELATED INFORMATION:

APN:

161-07-102-013

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. Allow a service bay door that is not screened with landscaping or a building to face a street (Boulder Highway) where screening is required per Table 30.44-1.
2.
  - a. Eliminate street landscaping along Boulder Highway where a 15 foot wide landscape strip is required per Table 30.64-2 (a 100% reduction).
  - b. Reduce parking lot landscaping where landscaping is required per Figure 30.64-14.
3. Eliminate sidewalk around the base of a building where a 5 foot wide sidewalk is required to separate buildings from pavement for parking aisles and spaces per Section 30.60.050 (a 100% reduction).
4. Eliminate cross access where cross access is required per Table 30.56-2 (a 100% reduction).
5. Reduce parking to 29 spaces where 31 parking spaces are required per Table 30.60-1 (a 7% reduction).
6.
  - a. Allow pan style driveways where commercial driveways are required per Uniform Standard Drawing 222.1.
  - b. Reduce throat depth to 19 feet where 25 feet is the minimum per Uniform Standard Drawing 222.1 (a 24% reduction).

**LAND USE PLAN:  
SUNRISE MANOR - COMMERCIAL GENERAL**

**BACKGROUND:**

**Project Description**

**General Summary**

- Site Address: 3485 Boulder Highway
- Site Acreage: 0.9
- Project Type: Vehicle sales and repair
- Number of Stories: 1
- Building Height: 17 feet, 4 inches
- Square Feet: 6,720
- Parking Required/Provided: 31/29

Background

An existing vehicle sales and repair facility is located on this site and was originally approved in 1990. However, under the current Title 30 regulations these uses are not allowed in the H-2 zoning district. As a result, the owner is requesting a conforming zone change to C-2 zoning to enable a new vehicle sales and repair tenant to operate at this location. In addition, the owner is proposing modifications to the site including removing non-permitted modular buildings and shade structures, re-designing the parking layout, and adding landscaping within the right-of-way along Boulder Highway.

Site Plan

The site plan depicts an existing automobile sales and repair building located on the northern portion of the site, set back 10 feet from the northwest property line and 22 feet from the northeast property line. Parking spaces are located on the north side of the site, on the south side of the building, and along the property line with Boulder Highway. Asphalt directly abuts the base of the building, and no sidewalk or landscaping is provided between the parking spaces and drive aisles and the building. Twenty of the parking spaces will be utilized for vehicle sales display rather than parking spaces.

Access to the site is provided by existing pan style driveways from Boulder Highway, and a pedestrian path connects the existing sidewalk on Boulder Highway to the front of the building. No cross access is proposed to connect to the adjacent parcels.

Landscaping

Landscaping on the site along Boulder Highway includes several landscape fingers that are 19 feet long adjacent to the parking spaces. No landscaping is proposed between the front of the parking spaces and the Boulder Highway right-of-way. As a result, a waiver of development standards is necessary to eliminate the landscaping along Boulder Highway where a 15 foot wide landscape strip is required. However, as an alternative, the applicant is proposing to install a 20 foot wide landscape strip in the right-of-way (a 20 foot wide gap exists between the existing sidewalk and the property line of the subject property).

Elevations

The existing concrete block building is 17 feet 4 inches tall and includes a mansard style roof near the front entrance. The remainder of the building includes parapet walls along the roofline. Two overhead roll-up doors face north, an overhead roll-up door faces southwest towards Boulder Highway necessitating a waiver of development standards since, the door is not screened by on-site landscaping or another building, and another existing overhead roll-up door faces southwest towards Boulder Highway but will be replaced by a storefront window system.

Floor Plans

The vehicle sales portion of the building is 2,000 square feet, and the vehicle repair and detailing portion of the building is 4,720 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

According to the applicant, the zone change conforms to the master plan designation for the site, the use permit for vehicle repair is compatible with many similar uses along Boulder Highway, and the requested waivers of development standards are necessary to maintain existing conditions on the property. However, the applicant is proposing additional landscaping that will enhance the aesthetic appeal of the site.

**Prior Land Use Requests**

Application Number	Request	Action	Date
VC-1553-96	Allowed a manufactured (mobile) office and shade canopy structure in conjunction with a vehicle sales facility - expired	Approved by PC	November 1996
UC-457-89 & VC-808-89	Established and maintained a used automobile sales facility	Approved by PC	January 1990

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
Northwest	Commercial General	H-2	Motorcycle sales
Northeast	Commercial General	H-2	Vacant building with overhead roll-up doors
Southeast	Commercial General	H-2	Warehouse building
Southwest	Commercial General	H-2 & C-2	Vehicle sales & repair

**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 conforming zone boundary amendment is within the range of non-residential intensities anticipated for the site by the Sunrise Manor Land Use Plan. Per the land use plan, Commercial General allows medium to high intensity retail and service commercial uses that serve regional patrons and include more intense commercial characteristics. General Commercial (C-2) zoning conforms to the Commercial General land use category, and C-2 zoning is compatible with the surrounding vehicle related uses in the H-2 zone. As a result, staff can support the conforming zone boundary amendment.

#### 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.

Vehicle repair is a compatible use to the vehicle sales and repair uses existing around the subject site along Boulder Highway. For example a motorcycle sales business is located to the north west of the site, and a vehicle sales and repair facility is located across Boulder Highway to the southwest. Vehicle repair will occur in an existing building that was designed for the use, and staff does not anticipate any negative impacts from the vehicle repair; therefore, 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.

#### Waivers of Development Standards #1 through #5 & Design Review

Although several waivers of development standards are necessary, these waivers will enable the continued use of the existing vehicle sales and repair facility. In addition, the applicant is improving the facility by removing unpermitted manufactured buildings and shade structures, restriping the parking lot, and adding landscaping. As a result, staff finds that the waivers of development standards and the design review are consistent with Goal 1 of the Comprehensive Master Plan, which in part promotes economic viability with development that is compatible with adjacent land uses. The uses have existed on the site previously, the design is compatible with adjacent vehicle related uses, and the applicant has improved the circulation and visual appeal of the facility. Therefore, staff can support these waivers of development standards and the design review.

**Public Works - Development Review**

**Waiver of Development Standards #6**

Staff can support the modified commercial driveway geometrics provided that the driveways are upgraded to comply with Americans with Disabilities Act. However, since Boulder Highway is a Nevada Department of Transportation (NDOT) roadway, the ultimate decision regarding the driveway will be made by NDOT.

**Staff Recommendation**

Approval.

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

**PRELIMINARY STAFF CONDITIONS:**

**Current Planning**

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- 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 use permit, waivers of development standards and design review must commence within 2 years of approval date or they will expire.

**Public Works - Development Review**

- Reconstruct driveways as commercial pan driveways per Uniform Standard Drawing 224;
- Nevada Department of Transportation approval.

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

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

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT: GHASSAN MERHI**

**CONTACT: GREG BORGEL, 300 S. 4TH STREET, SUITE 1400, LAS VEGAS, NV 89101**



# LAND USE APPLICATION

## CLARK COUNTY COMPREHENSIVE PLANNING DEPARTMENT

SEE SUBMITTAL REQUIREMENTS FORM FOR MORE INFORMATION

<input type="checkbox"/> TEXT AMENDMENT (TA) <input checked="" type="checkbox"/> ZONE CHANGE <input checked="" type="checkbox"/> CONFORMING (ZC) <input type="checkbox"/> NONCONFORMING (NZC) <input checked="" type="checkbox"/> USE PERMIT (UC) <input type="checkbox"/> VARIANCE (VC) <input checked="" type="checkbox"/> WAIVER OF DEVELOPMENT STANDARDS (WS) <input checked="" type="checkbox"/> DESIGN REVIEW (DR) <input checked="" type="checkbox"/> PUBLIC HEARING <input type="checkbox"/> ADMINISTRATIVE DESIGN REVIEW (ADR) <input type="checkbox"/> STREET NAME / NUMBERING CHANGE (SC) <input type="checkbox"/> WAIVER OF CONDITIONS (WC)  _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> ANNEXATION REQUEST (ANX) <input type="checkbox"/> EXTENSION OF TIME (ET)  _____ (ORIGINAL APPLICATION #) <input type="checkbox"/> APPLICATION REVIEW (AR)  _____ (ORIGINAL APPLICATION #)	<b>STAFF</b>	DATE FILED: <u>12/20/19</u> APP. NUMBER: <u>ZC-19-0987</u> PLANNER ASSIGNED: <u>JCT</u> TAB/CAC: <u>SUNRISE MAJOR</u> ACCEPTED BY: <u>JCT</u> TAB/CAC MTG DATE: <u>1/16/20</u> TIME: <u>6:30</u> FEE: <u>2,875</u> PC MEETING DATE: _____ CHECK #: <u>2026</u> BCC MEETING DATE: <u>2/5/20</u> 9am COMMISSIONER: <u>TS</u> ZONE / AE / RNP: <u>H-2 → C-2</u> OVERLAY(S)? _____      PLANNED LAND USE: <u>SMCG</u> PUBLIC HEARING? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N      NOTIFICATION RADIUS: <u>1,000</u> SIGN? <input checked="" type="checkbox"/> Y <input type="checkbox"/> N TRAILS? Y <input checked="" type="checkbox"/> N      PFNA? Y <input type="checkbox"/> N      LETTER DUE DATE: <u>N/A</u> APPROVAL/DENIAL BY: <u>N/A</u> COMMENCE/COMPLETE: <u>N/A</u>
<b>PROPERTY OWNER</b>	NAME: <u>3497 BOULDER HIGHWAY LLC</u> ADDRESS: <u>2711 E SAHARA AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702-641-3777</u> CELL: <u>702-326-2623</u> E-MAIL: <u>lisa.desantiago@gmail.com</u>	
<b>APPLICANT</b>	NAME: <u>G HASSAN MERHI</u> ADDRESS: <u>2711 E SAHARA AVE</u> CITY: <u>LAS VEGAS</u> STATE: <u>NV</u> ZIP: <u>89104</u> TELEPHONE: <u>702-641-3777</u> CELL: <u>702-326-7577</u> E-MAIL: <u>lisa.desantiago@gmail.com</u> REF CONTACT ID #: _____	
<b>CORRESPONDENT</b>	NAME: <u>Greg Borgel</u> ADDRESS: <u>300 S. 4th St., #1400</u> CITY: <u>LV</u> STATE: <u>NV</u> ZIP: <u>89101</u> TELEPHONE: <u>702-791-8219</u> CELL: <u>---</u> E-MAIL: <u>gborgel@fclaw.com</u> REF CONTACT ID #: <u>172242</u>	

ASSESSOR'S PARCEL NUMBER(S): 161-07-102-013

PROPERTY ADDRESS and/or CROSS STREETS: 3485 BOULDER HWY

PROJECT DESCRIPTION: Change to conforming zoning for existing project.

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

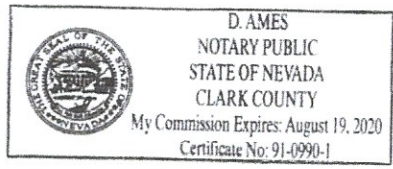
\_\_\_\_\_  
 Property Owner (Signature)\*      G HASSAN MERHI  
 \_\_\_\_\_  
 Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK

SUBSCRIBED AND SWORN BEFORE ME ON NOVEMBER 26, 2019 (DATE)

By \_\_\_\_\_

NOTARY PUBLIC:



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

December 19, 2019

ZC-19-0987

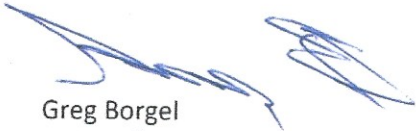
Clark Co. Planning  
Hand delivered

Dear Ladies/Gentlemen:

Please accept this as the required justification letter for a zone change from H-2 to C-2 for used vehicle sales, with a special use permit for "automobile and off-highway vehicle" repair, and waivers of development standards to maintain certain existing conditions on the property, along with a design review on APN 161-07-102-013:

1. As to the zone change, the property is currently zoned H-2, which is a district the county has been encouraging be converted to a conforming and compatible status.
2. The request for C-2 conforms to the existing C-G General Commercial master plan and the requested use is similar to and consistent with surrounding uses.
3. As to the special use permit for vehicle repair, the property as built meets the required condition of "minimum separation of 200 feet from any residential use".
4. Waivers are requested as follows:
  - A. To allow one service/detailing bay facing Boulder Highway.
  - B. The applicant wishes to maintain the existing "pan" driveways on Boulder Highway.
  - C. The applicant wishes to maintain no cross-access with adjacent parcels.
  - D. The applicant wishes to substitute 20' of live landscaping within the excess r-o-w on the Boulder Highway frontage for ~~all~~ other live landscaping requirements (i.e.: maintain existing situation of zero on-site live landscaping). <sup>mass</sup>
  - E. Provide 29 parking v. 31 req'd.
5. Design review approval is requested in conformance with normal county procedure.

Justification: The zone change conforms to the master plan and was required by staff (Jennifer Ammerman) in order to process a new business license for a new user of the property which has previously had similar uses on site for many years. The special use permit for vehicle repair is compatible with many similar properties on Boulder Highway. The requested waivers are only attempts to maintain existing situations on the property, while enhancing the property with landscaping in the excess Boulder Highway right-of-way. "Hardscaping" will be considered where appropriate on site. Design review is requested for the existing building on the property, which has not been the subject of any complaints that the applicant is aware of. In summary, the application is an attempt to bring the property into zoning conformance with enhancements to improve the property while admittedly not fully satisfying all standards that would be appropriate to new "from the ground up" construction.



Greg Borgel  
300 S. 4<sup>th</sup> St. #1400  
Las Vegas NV 89101  
Ph: 702-791-8219