



## Whitney Town Advisory Board

Whitney Community Center

5712 Missouri Ave.

Las Vegas, NV. 89122

March 11, 2021

6:00pm

### AGENDA

**Note:**

- Social distancing will be practiced during this meeting. You will be asked to keep appropriate spacing (six (6) feet) away from other meeting attendees.
- Items on the agenda may be taken out of order.
- The Board/Council may combine two (2) or more agenda items for consideration.
- The Board/Council may remove an item from the agenda or delay discussion relating to an item at any time.
- No action may be taken on any matter not listed on the posted agenda.
- All planning and zoning matters heard at this meeting are forwarded to the Board of County Commissioners' Zoning Commission (BCC) or the Clark County Planning Commission (PC) for final action.
- Please turn off or mute all cell phones and other electronic devices.
- Please take all private conversations outside the room.
- With a forty-eight (48) hour advance request, a sign language interpreter or other reasonable efforts to assist and accommodate persons with physical disabilities, may be made available by calling (702) 455-3530, TDD at (702) 385-7486, or Relay Nevada toll-free at (800) 326-6868, TD/TDD.
- Supporting material provided to Board/Council members for this meeting may be requested from Secretary Name at Secretary's Phone Number and is/will be available on the County's website at [www.clarkcountynv.gov](http://www.clarkcountynv.gov).
- If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, or provide general public comment, please submit your comments to [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov), before 5:00 pm, March 11, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

Board/Council Members: Christopher Fobes, Chairperson  
Greg Konkin, Vice Chairperson  
Geraldine Ramirez  
Amy Beaulieu  
Al Martinez

Secretary: Maureen Helm 702-606-0747 [mhelmtab@gmail.com](mailto:mhelmtab@gmail.com)

County Liaison(s): Blanca Vazquez 702-455-8531 [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov)

#### I. Call to Order, Pledge of Allegiance, Roll Call, and 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 (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of

the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

If you do not wish to attend this meeting in person, but would like to comment on an item appearing on this agenda, please submit your comments to [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov), before 5:00 pm, on March 11, 2021. Please include your name, address, and identify which agenda item you are commenting on, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

- III. Approval of Minutes for February 11, 2021. (For possible action)
- IV. Approval of the Agenda for March 11, 2021 and Hold, Combine, or Delete any Items. (For possible action)
- V. Informational Items
- VI. Planning and Zoning

- 1. **ZC-21-0064-HADDAD JIMEEL M SPENDTHRIFT TRUST & HADDAD JIMEEL M TRS:**  
**ZONE CHANGE** to reclassify 0.6 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.  
**USE PERMITS** for the following: **1)** vehicle repair; **2)** reduce the separation from a vehicle maintenance (automobile) facility to a residential use; and **3)** increase the number of vehicles (automobiles) displayed outside for a vehicle sales facility when the business has common parking with other businesses.  
**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** permit service bay doors to face a street; **2)** eliminate interior parking lot landscaping; **3)** eliminate street landscaping; **4)** eliminate landscaping adjacent to a less intensive use; **5)** permit a freestanding sign to not be located within a curbed landscaped or rockscaped area; **6)** reduce setback for a freestanding sign; **7)** eliminate the sidewalk around the perimeter of the building; **8)** eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; **9)** reduce parking; **10)** mechanical equipment screening; **11)** permit non-decorative metal paneling; **12)** reduce the setback for a trash enclosure from a residential development; **13)** allow non-standard improvements within the right-of-way; and **14)** allow modified driveway design standards.  
**DESIGN REVIEWS** for the following: **1)** vehicle repair facility; **2)** vehicle sales facility (display area); and **3)** signage. Generally located on the west side of Boulder Highway, 100 feet south of English Avenue within Whitney (description on file). JG/md/jd (For possible action)

**BCC 4/7/21**

- VII. General Business

VIII. Comments by the General Public- A period devoted to comments by the general public about matters relevant to the Board/Council's jurisdiction will be held. No vote may be taken on a matter not listed on the posted agenda. Comments will be limited to three (3) minutes. Please step up to the speaker's podium, if applicable, clearly state your name and address and please **spell** your last name for the record. If any member of the Board/Council wishes to extend the length of a presentation, this will be done by the Chairperson or the Board/Council by majority vote.

If you would like to provide a written general public comment on an item not appearing on this agenda, but within the general jurisdiction of this body, please submit your comments to [bva@clarkcountynv.gov](mailto:bva@clarkcountynv.gov), before 5:00 pm, March 11, 2021. Please include your name, address, and your comment. Comments will be read into the record. No comments over three (3) minutes in length will be read. All comments received will be compiled into a document and shared as part of the meeting's minutes.

IX. Next Meeting Date: April 1, 2021.

X. Adjournment.

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

Names of Locations:

Whitney Library, Whitney Senior Center, Jack-in-the-box @Boulder Highway/Russell,

CVS @ Tropicana/Boulder Highway

<https://notice.nv.gov>



## Whitney Town Advisory Board

February 11, 2021

### MINUTES

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Board Members: Christopher Fobes –Chair - **PRESENT**  
Greg Konkin - Vice Chair- **PRESENT**  
Amy Beaulieu-**PRESENT**  
Geraldine Ramirez-**PRESENT**  
Al Martinez- **PRESENT**

Secretary: Maureen Helm 702-606-0747 mhelmtab@gmail.com

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

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I. Call to Order, Pledge of Allegiance, Roll Call,(see above) County Staff Introductions

Stephanie Halasi – Community Services Specialist, Administrative Services  
Jillee Rowlan; Planning, Blanca Vazquez; Town Liaison

The meeting was called to order by Ramirez at 6:10 p.m.

II. Public Comment  
None

III. Approval of October 15, 2020 Minutes

**Moved by: Beaulieu**  
**Approve minutes as submitted**  
**Vote: 5-0 Unanimous**

IV. Approval of Agenda for February 11, 2021

**Moved by: Ramirez**  
**Approve as submitted**  
**Vote: 5-0 Unanimous**

V. Informational Items(for discussion)

1. Receive update on Transform Clark County
2. Receive update on the Master Plan Development Code

VI. Planning and Zoning

1. **UC-21-0017-CHAN, TINA:**

**USE PERMITS** for the following: 1) vehicle repair; and 2) reduced setback for vehicle maintenance to a residential use.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) reduced landscaping; and 2) reduced setback from vehicle repair to a residential use.

**DESIGN REVIEW** for the redesign and striping of the existing parking lot on 0.6 acres in a C-2 (General Commercial) Zone. Generally located on the east side of Boulder Highway, 500 feet north of Hamilton Avenue within Whitney. JG/bb/jd (For possible action) PC 3/2/21

**MOVED BY-Ramirez**

**APPROVE- Subject to staff conditions**

**ADDED CONDITION**

- **1 year review as public hearing**

**VOTE: 4-0 Unanimous**

VII. General Business (for possible action)

1. Motion was made by Beauieu to appoint Fobes as Chair

**VOTE 5-0**

Motion was made by Beauieu to appoint Konkin as Vice-Chair

**VOTE 5-0**

2. Motion made by Ramirez to approve TAB Bylaws as submitted

**VOTE 5-0**

VIII. Public Comment

**None**

IX. Next Meeting Date

**The next regular meeting will be February 25, 2021.**

X. Adjournment

**The meeting was adjourned at 6:55 p.m.**

VEHICLE REPAIR AND SALES  
(TITLE 30)

BOULDER HWY/ENGLISH AVE

**PUBLIC HEARING**

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**ZC-21-0064-HADDAD JIMEEL M SPENDTHRIFT TRUST & HADDAD JIMEEL M TRS:**

**ZONE CHANGE** to reclassify 0.6 acres from H-2 (General Highway Frontage) Zone to C-2 (General Commercial) Zone.

**USE PERMITS** for the following: 1) vehicle repair; 2) reduce the separation from a vehicle maintenance (automobile) facility to a residential use; and 3) increase the number of vehicles (automobiles) displayed outside for a vehicle sales facility when the business has common parking with other businesses.

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: 1) permit service bay doors to face a street; 2) eliminate interior parking lot landscaping; 3) eliminate street landscaping; 4) eliminate landscaping adjacent to a less intensive use; 5) permit a freestanding sign to not be located within a curbed landscaped or rockscaped area; 6) reduce setback for a freestanding sign; 7) eliminate the sidewalk around the perimeter of the building; 8) eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance; 9) reduce parking; 10) mechanical equipment screening; 11) permit non-decorative metal paneling; 12) reduce the setback for a trash enclosure from a residential development; 13) allow non-standard improvements within the right-of-way; and 14) allow modified driveway design standards.

**DESIGN REVIEWS** for the following: 1) vehicle repair facility; 2) vehicle sales facility (display area); and 3) signage.

Generally located on the west side of Boulder Highway, 100 feet south of English Avenue within Whitney (description on file). JG/md/jd (For possible action)

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**RELATED INFORMATION:**

**APN:**

161-28-510-009

**USE PERMITS:**

1. Vehicle repair.
2. Reduce the separation from an existing vehicle (automobile) repair facility to a residential use to 135 feet where a minimum of 200 feet is required per Table 30.44-1 (a 32.5% reduction).
3. Increase the number of vehicle (automobiles) for sale outside to 20 spaces where a maximum of 5 spaces are permitted when the business has common parking with other businesses per Table 30.44-1 (a 300% increase).

### WAIVERS OF DEVELOPMENT STANDARDS:

1. Permit existing service bay doors to face the street (Boulder Highway) where no service bay door shall face a street unless screened with landscaping or a building per Table 30.44-1.
2. Eliminate interior parking lot landscaping where required per Figure 30.64-14.
3. Eliminate street landscaping where required per Section 30.64.030.
4. Eliminate landscaping adjacent to a less intensive use (single-family residence) where landscaping is required per Table 30.64-2 and Figure 30.64-11 with 1 tree per 20 feet.
5. Permit an existing freestanding sign to not be located within a curbed landscaped or rockscaped area where required per Table 30.72-1.
6. Reduce setback for an existing freestanding sign to 6 feet where 10 feet is required from a street (Boulder Highway) per Table 30.72-1 (a 40% reduction).
7. Eliminate the sidewalk around the perimeter of an existing building where a 5 foot wide sidewalk is required to separate buildings from pavement for parking aisles and spaces per Section 30.60.050.
8. Eliminate the pedestrian walkway from the adjacent public sidewalk to the principal building entrance where a 5 foot wide walkway is required to connect the adjacent public sidewalk to the principal building entrance per Section 30.60.050.
9. Reduce parking to 18 spaces where 22 spaces are required per Table 30.60-1 (an 18.2% reduction).
10. Waive mechanical equipment screening where required per Table 30.56-2.
11. Permit non-decorative metal paneling (corrugated) where not permitted within the urban area per Table 30.56-2.
12. Reduce the setback for a proposed trash enclosure to 40 feet where a minimum of 50 feet is required from any residential development (single-family residence) on a separate parcel per Section 30.56.120 (a 20% reduction).
13. Allow non-standard improvements (landscaping) within the right-of-way (Boulder Highway) where not permitted per Chapter 30.52.
14. a. Reduce the throat depth for an existing commercial driveway to zero feet where a minimum depth of 25 feet is required per Uniform Standard Drawing 222.1 (a 100% reduction).  
b. Permit an existing commercial pan driveway where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

**LAND USE PLAN:**  
WHITNEY COMMERCIAL GENERAL

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

#### General Summary

- Site Address: 5710 Boulder Highway
- Site Acreage: 0.6
- Project Type: Vehicle repair and sales facility
- Number of Stories: 1
- Building Height (feet): 17

- Square Feet: 4,000
- Sign Height (feet): 38 (freestanding sign)
- Sign Area (square feet): 71
- Parking Required/Provided: 22/18

### History and Request

The applicant is requesting a conforming zone boundary amendment from an H-2 to a C-2 zoning district to permit the continued operation of an existing vehicle repair facility and the addition of vehicle (automobile) sales. The existing vehicle repair facility was approved via UC-80-86 by the Planning Commission in April 1986. The H-2 zoning district prohibits vehicle repair and sales uses, and the request to a C-2 zoning district will ensure these uses operate within an appropriate zoning district. The conforming zone boundary amendment request necessitates multiple waiver requests for the existing site conditions associated with this application, which are addressed in the forthcoming analysis. There are no active Code Enforcement or zoning violations for the subject property.

### Site Plans

The plans depict an existing single story vehicle repair facility in conjunction with proposed vehicle (automobile) sales on a 0.6 acre site. The existing building is set back 50 feet from the east property line adjacent to Boulder Highway, 25 feet from the north property line, 135 feet from the west property line, and zero feet from the south property line. Four parking spaces are located immediately to the east of the building along Boulder Highway. Four bicycle parking spaces are located between the van accessible and standard parking space along Boulder Highway. The remaining 14 parking spaces are located at the rear of the property, behind the vehicle repair facility. The vehicle repair and sales facility requires 22 parking spaces where 18 spaces are provided. A designated vehicle display area consisting of 5,000 square feet, located at the rear of the property, permits an additional 30 unstriped display spaces for the sale of automobiles. A proposed trash enclosure is located at the rear of the site, and is set back 40 feet from the west property line adjacent to an existing single family residence. Access to the site is granted via an existing 39 foot wide commercial pan driveway adjacent to Boulder Highway. An existing 5 foot wide sidewalk is located adjacent to the public right-of-way.

### Landscaping

The plans depict an existing 8 foot wide landscape planter area that includes 2 medium, 24 inch box trees with shrubs and groundcover. However, the landscape planter is located within the public right-of-way (Boulder Highway) necessitating the waiver requests to eliminate street landscaping and non-standard improvements within the right-of-way. No interior parking lot landscaping is provided within the project site.

### Elevations

The plans depict an existing building consisting of non-decorative, vertical metal (corrugated) paneling. Three existing overhead roll-up doors are located on the east elevation and are oriented towards Boulder Highway. Three overhead roll-up doors are also featured on the west elevation of the building. Swamp cooler and air conditioning units are also located on top of the building, requiring a waiver of development standards due to the lack of screening.



### Floor Plans

The plans depict a vehicle repair facility consisting of 4,000 square feet. Restroom facilities, offices, and a lobby area are depicted on the floor plans.

### Signage

The plans depict an existing freestanding sign with an overall height of 38 feet and sign area of 71 square feet. The sign is set back 6 feet from the right-of-way (Boulder Highway) and is not located within a landscaped area. The sign is set back over 200 feet from the west (rear) property line of the project site. The pole of the freestanding sign is painted white matching the existing exterior of the building.

### Applicant's Justification

According to the applicant, the property has been developed for several decades and currently supports a vehicle repair service center. A conforming zone change from an H-2 to a C-2 zoning district is requested to permit the continued operation of the existing vehicle repair facility and the addition of vehicle sales to the subject property. The property with the residential use is zoned C-2 and H-2 and is being used as a business with a storage yard located between the existing building and the proposed site. The existing 3 roll-up doors are essential to the repair business and attempting to relocate the doors would be detrimental to the existing business. These doors are partially screened from street view by the landscape strip along Boulder Highway and the parking lot. While the parking lot and street landscaping do not meet current code, it met Code at the time of construction. This development does provide an existing 8 foot landscape strip along the frontage which meets or exceeds other developments in the area along Boulder Highway (NDOT jurisdiction). The proposed car sales facility will take access off of Boulder Highway where there is an existing 39 foot pan style driveway. There is also existing curb and gutter and a concrete sidewalk along Boulder Highway. In addition, a new curb return driveway will not work at this location due to existing site constraints. Replacement of the existing driveway within the NDOT right of way would be difficult, expensive, and time consuming. The existing driveway provides adequate egress/ingress for this parcel. The existing throat depth is shorter than the 25 feet required for a development of this type, the existing driveway provides about 18 feet of throat depth. However, the throat depth more than meets requirements when continuing through the site to the vehicle display area in the back. Additionally, this driveway is about 39 feet wide which assists with ingress/egress. The existing sign is not located within a curbed landscape area, however, it is out of the driving public's way and does not interfere with on-site circulation in its current location. The location of the freestanding sign has been added to the site plan. The site is fully developed and has been for more than 40 years. Unfortunately, the 5 foot sidewalk was not a requirement at the time of development and there is no additional space between the building and the drive aisle for this sidewalk. The site plan has provided 18 on-site parking spaces where 22 spaces are required. This is only about a 20 percent reduction in the overall parking. There is space available in the rear of the business for parking, if necessary. Additionally, on-street parking is provided along Boulder Highway (NDOT jurisdiction) should additional spaces be needed. The non-decorative metal on the exterior of the building is similar to many of the businesses in this part of town and reflects the exterior design allowed at the time of development. Rooftop mechanical units are typical of this older industrial part of town. An attempt to screen the mechanical units may not be practical from a structural standpoint and may prove to be a costly renovation just for aesthetics.

The 2 existing adjacent properties currently do not have landscaping between the 2 parcels, however, there is over 260 feet between the buildings on the two parcels. The landscaping is not necessary for a zoning buffer since both properties abut at a parking lot. The property with the residential use is zoned C-2 and H-2 and is being used as a business with a storage yard located between the existing building and the proposed site. The trash enclosure setback reduction is only about 20 percent and is adjacent to the storage yard on the residential use property. The neighbors building is about 175 feet away from the trash enclosure. The setback reduction will not create a hardship for the adjacent parcel. The sign is out of the drive aisles, pedestrian walkways and away from the street by 6 feet. This existing sign has been on the site for over 50 years and there have been no issues with the location of the sign. Boulder Highway is within NDOT's jurisdiction and the landscaping provided is typical of all the businesses along this portion of Boulder Highway. Should NDOT require the landscaping be removed, the owner will comply.

**Prior Land Use Requests**

Application Number	Request	Action	Date
UC-80-86	Vehicle repair facility	Approved by PC	April 1986
VC-145-86	Reduce the interior side yard setback for a vehicle repair facility	Approved by PC	April 1986

**Surrounding Land Use**

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Vehicle sales facility
South	Commercial General	H-2 & C-2	Vehicle sales & repair facility
East	Commercial General	H-2 & C-2	Retail building
West	Commercial General	H-2 & C-2	Single family residence & outside storage

**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 Commercial General land use category allows medium to high intensity retail and service commercial uses, and typically includes more intense general commercial characteristics. The requested conforming zone boundary amendment is within the range of non-residential intensities anticipated for the project site by the Whitney Land Use Plan. General Commercial (C-2) zoning conforms to the Commercial General land use category, and C-2 zoning is consistent and compatible with the surrounding vehicle and commercial related uses in the area; therefore, staff can support the conforming zone boundary amendment.

### 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

The existing vehicle repair is consistent with the range of uses that exist along this portion of the Boulder Highway corridor. The use has been at this location for several decades and has complemented other automobile related uses in the immediate area. The vehicle repair will occur inside the existing building, and staff does not anticipate any negative impacts from the continued vehicle repair use; therefore, staff recommends approval.

### Use Permit #2

Staff typically does not support reductions to the separation requirement between vehicle repair and residential uses. However, the existing vehicle repair facility is set back 240 feet away from the existing single family residence to the south. The vehicle repair facility has been in operation for several decades, and there are no active Code Enforcement or zoning violations on the subject property; therefore, staff can support this request.

### Use Permit #3

A 5,000 square foot area, located in the rear of the property, has been designated for the display of vehicles. The display area will not impede the flow of vehicular or pedestrian circulation throughout the site. However, staff finds the 5,000 square foot area can be reduced to accommodate the deficiency in the required number of parking spaces for the site, in addition to providing the area necessary for the required interior parking lot landscaping; therefore, staff recommends denial.

### 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 can support the request to allow the existing bay doors to face Boulder Highway. The applicant is proposing to plant a minimum of two, 24 inch box medium trees within the landscape planter adjacent to the right-of-way, in addition to shrubs and groundcover.

### Waiver of Development Standards #2

The intent of parking lot landscaping is to provide climate adaptable plant materials that improve the visual appearance of the project site, enhance environmental conditions by providing shade and reducing storm water run-off, and to provide buffer areas between land uses of varying intensity. The request to waive the required landscaping is a self-imposed burden. Furthermore,

the vehicle display area can be reduced to provide the required parking lot landscaping. Staff finds the applicant has not provided compelling justification to waive the required parking lot landscaping; therefore, cannot support this request.

#### Waiver of Development Standards #3

The intent of street landscaping is to enhance the perimeter of the project site, improve the aesthetics of the site along public rights-of-way, and to provide a buffer between parking areas and the adjacent streets. Staff finds that an additional 7 feet located along the eastern property line adjacent to Boulder Highway can be added to the existing landscape area consisting of 8 feet located within the right-of-way. The additional 7 feet of landscaping would create a landscape area measuring 15 feet in width, meeting the intent of the street landscaping requirements within the Development Code. Furthermore, the additional 7 feet of landscaping would not prohibit the installation of the required parking spaces and drive aisle servicing the front of the building. In Whitney, the resort corridor runs along Boulder Highway. This area functions as the region's primary employment and activity center. Staff finds the addition of new street landscaping will improve the aesthetics of the Boulder Highway corridor. The request to eliminate street landscaping is a self-imposed burden; therefore, staff cannot support this request.

#### Waiver of Development Standards #4

The existing single family residence adjacent to the project site is located 110 feet away from the western property line of the subject parcel. Furthermore, based on recent aerial photographs, the side and rear yards of the existing single family residence feature an extensive amount of outside storage; therefore, staff finds the request to waive landscaping adjacent to the less intensive use should have minimal to no impact on the single family residence. Staff recommends approval of this request.

#### Waivers of Development Standards #5, #6, and Design Review #3

Staff would typically not support a request to waive the landscaping and setback standards for a freestanding sign. However, since this is an existing site condition, and the waiver requests will have minimal to no impact on the surrounding land uses and properties, staff can support this request.

Staff finds the height and design of the existing freestanding sign is compatible with other freestanding signs in the immediate area. A recent photograph of the sign provided by the applicant indicates the sign is well maintained and remains in good condition; therefore, staff can support this request.

#### Waivers of Development Standards #7 and #8

The requested waivers will enable the continued use of the site as a vehicle repair facility. Based on the existing site conditions, it would not be practical to construct the required 5 foot wide pedestrian walkway around the perimeter of the building. Staff finds the waivers will have minimal to no impact on the subject property; therefore, recommends approval.

#### Waiver of Development Standards #9

Staff finds there is adequate room within the interior of the project site to provide the additional 4 parking spaces. The vehicle display area can be reduced to accommodate the deficiency in the

number of required parking spaces for the site. Staff finds this request is a self-imposed burden and recommends denial.

Waiver of Development Standards #10

Staff finds the lack of screening for the existing mechanical equipment will have minimal to no impact on the surrounding properties and land uses; therefore, staff can support this request.

Waiver of Development Standards #11

Although the existing vertical corrugated metal paneling is not considered a decorative material, staff finds the material closely resembles "standing seam" metal paneling, which complies with Commercial Policy 78 of the Comprehensive Master Plan that encourages architectural treatments on all building sides to eliminate blank building elevations visible to the general public. Furthermore, the existing building immediately to the north of the project site consist of vertical metal paneling. The requested waiver for the existing condition should not impact the surrounding properties or land uses; therefore, staff recommends approval.

Waiver of Development Standards #12

Staff finds the proposed trash enclosure can be relocated within the project site to meet the required setback of 50 feet from the adjacent single-family residence. Therefore, staff recommends denial of this request.

Design Review #1

Staff finds the existing vehicle repair facility is 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 vehicle repair use has been in continued operation on the project site for several decades and is compatible with the surrounding properties and land uses; therefore, staff can support this request.

Design Review #2

Staff find the area of the vehicle display area is excessive and can be reduced in area to accommodate the required number of parking spaces, interior parking lot landscaping, and relocation of the proposed trash enclosure. Staff cannot support the request for a vehicle sales facility, since staff is not recommending approval of use permit #3 and waivers of development standards #2, #9 and #12.

**Public Works - Development Review**

Waiver of Development Standards #13

Staff has no objection to the existing non-standard improvements in the Boulder Highway right-of-way. However, Boulder Highway is a Nevada Department of Transportation (NDOT) right-of-way and any improvements must be approved by NDOT.

Waiver of Development Standards #14

Staff has no objection to the existing modified driveway design standards on Boulder Highway. However, Boulder Highway is a Nevada Department of Transportation (NDOT) right-of-way and any improvements must be approved by NDOT.

**Staff Recommendation**

Approval of the zone change, use permits #1 & #2, waivers of development standards #1, #4 through #8, #10 through #11, #13 & #14, and design reviews #1 & #3; denial of use permit #3, waivers of development standards #2, #3, #9, #12, 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:

- 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 the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that the use permits, waivers of development standards, and design reviews must commence within 2 years of the approval date or they will expire.

**Public Works - Development Review**

- Nevada Department of Transportation approval.

**Building Department - Fire Prevention**

- Applicant is advised to contact the Building Department at (702) 455-3000 regarding a potential change in occupancy classification; and that any changes in occupancy classification may have impacts on both the site plan and construction (change from repair to repair and sales).

**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:** JIMEEL HADDAD SPENDTHRIFT TRUST DATED JUNE 3, 2016

**CONTACT:** BAUGHMAN & TURNER, INC., 1210 HINSON ST, LAS VEGAS, NV 89102



# LAND USE APPLICATION

## DEPARTMENT OF COMPREHENSIVE PLANNING

APPLICATION PROCESS AND SUBMITTAL REQUIREMENTS ARE INCLUDED FOR REFERENCE

<b>APPLICATION TYPE</b>  <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 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>  APP. NUMBER: <u>2C-21-0064</u> DATE FILED: <u>2/10/21</u> PLANNER ASSIGNED: <u>MNO</u> TAB/CAC: <u>WHITNEY</u> TAB/CAC DATE: <u>3/11/21 6:00</u> PC MEETING DATE: <u>-</u> BCC MEETING DATE: <u>4/7/21 9:00 A.M.</u> FEE: <u>\$2,875</u>
	<b>PROPERTY OWNER</b>  NAME: <u>Jimeel Haddad Spendthrift Trust Dated 6-3-16</u> ADDRESS: <u>3358 W Mardon St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-361-5865</u> CELL: _____ E-MAIL: <u>jimhaddad@gmail.com</u>
	<b>APPLICANT</b>  NAME: <u>Jimeel Haddad</u> ADDRESS: <u>3358 W Mardon St</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89139</u> TELEPHONE: <u>702-361-5865</u> CELL: _____ E-MAIL: <u>jimhaddad@gmail.com</u> REF CONTACT ID #: <u>207715</u>
	<b>CORRESPONDENT</b>  NAME: <u>Baughman &amp; Turner, Inc.</u> ADDRESS: <u>1210 Hinson St.</u> CITY: <u>Las Vegas</u> STATE: <u>NV</u> ZIP: <u>89102</u> TELEPHONE: <u>702-870-8771</u> CELL: <u>702-870-8771</u> E-MAIL: _____      REF CONTACT ID #: <u>137071</u>

ASSESSOR'S PARCEL NUMBER(S): 161-28-510-009

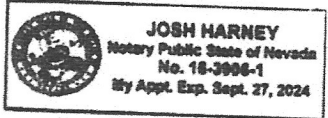
PROPERTY ADDRESS and/or CROSS STREETS: Boulder Hwy/English

PROJECT DESCRIPTION: Vehicle Sales and Vehicle Repair

(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.

Jimeel Haddad      Jimeel Haddad Management Trustee  
 Property Owner (Signature)\*      Property Owner (Print)

STATE OF NEVADA  
 COUNTY OF CLARK  
 SUBSCRIBED AND SWORN BEFORE ME ON NOVEMBER 10, 2020 (DATE)  
 BY JIMEEL HADDAO  
 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.

**Baughman & Turner, Inc.**

*Consulting Engineers & Land Surveyors*

1210 Hinson Street  
Las Vegas, Nevada 89102-1604

Phone (702) 870-8771  
Fax (702) 878-2695

January 12, 2021

**Clark County Current Planning**

500 S. Grand Central Parkway  
Las Vegas, Nevada 89155

20-21-0064

**Re: APN: 161-28-510-009, APR – 20-100780**

To Whom It May Concern,

Please let this letter serve as a justification for a conforming zone change on an existing commercially developed site. The property has been developed since the 70's and currently supports a vehicle repair service center. We are requesting a conforming zone change from H-2 to C2. In conjunction with the conforming zone change we are asking for the following:

Special Use permit within the C2 zoning for vehicle repair and the addition of vehicle sales in conjunction with another business

Design Review

Waiver of Standards for:

- a) roll-up doors facing the street,
- b) parking lot landscaping,
- c) street landscaping,
- d) commercial driveway,
- e) throat depth,
- f) sign location,
- g) Eliminate the required five (5) foot wide sidewalk between the existing building and from pavement for parking aisles, per Section 30.60.050, page 30.60-10.
- h) Eliminate the five (5) foot wide pedestrian walkway connecting the existing, attached sidewalk along Boulder Highway to the principle entrance of the building, per Section 30.60.050, page 30.60-9.
- i) Reduce the required onsite parking to 18 spaces where 22 spaces are required.
- j) Allow non-decorative metal for the exterior of the existing building.
- k) Allow existing vertical metal exterior siding for the building.
- l) Permit existing rooftop mechanical equipment to not be screened.
- m) Allow non-standard improvements (landscaping) within the right-of-way

**PLANNER  
COPY**

The property lies on the south side of Boulder Highway, just southeast of English Avenue. The proposed car sales facility will utilize the existing building which has a front entry and three (3) roll up doors facing Boulder Highway. There will be no additional on-site development. With the approval of the conforming zone change to C-2, the use permit will fall within the allowed uses.



# PLANNER COPY

## **Justification:**

Roll up doors facing the street: The existing three (3) roll up doors are essential to the repair business and attempting to relocate the doors would be detrimental to the existing business. These doors are partially screened from street view by the landscape strip along Boulder Highway and the parking lot.

Parking lot and street landscaping: While the parking lot and street landscaping does not meet current code, it met the code at the time of construction. This development does provide an existing eight-foot landscape strip along the frontage which meets or exceeds other developments in the area along Boulder Highway (NDOT jurisdiction).

Commercial driveway: The proposed car sales facility will take access off of Boulder Highway where there is an existing 39' pan style driveway. There is also existing curb and gutter and a concrete sidewalk along Boulder Highway. In addition, a new curb return driveway will not work at this location due to existing site constraints. Replacement of the existing driveway within the NDOT right of way would be difficult, expensive, and time consuming. Remember, there is no new construction/development proposed at this time. The existing driveway provides adequate egress/ingress for this parcel.

Throat depth: The existing throat depth is shorter than the 25 ft required for a development of this type. The existing driveway provides about 18 ft of throat depth. However, the throat depth more than meets requirements when continuing through the site to the vehicle display area in the back. Additionally, this driveway is about 39 ft wide which assists with ingress/egress.

Sign location: The existing sign is not located within a curbed landscape area, however, it is out of the driving public's way and does not interfere with on-site circulation in its current location. The location of the freestanding sign has been added to the site plan. A color photograph (8.5 inch x 11 inch) of the existing freestanding sign with the following information has been provided.:

- a. Area of the sign (including both the business advertisement and numerical address).
- b. Height of the overall freestanding sign.

Eliminate the required five (5) foot wide sidewalk between the existing building and from pavement: The site is fully developed and has been for more than 40 years. Unfortunately, the 5' sidewalk was not a requirement at the time of development and there is no additional space between the building and the drive aisle for this sidewalk now. There is no on-site development being done at this time. Only the conforming zone change request.

Eliminate the five (5) foot wide pedestrian walkway connecting the existing, attached sidewalk: The site is fully developed and has been for more than 40 years. Unfortunately, the 5' sidewalk from the street sidewalk to the principle building entrance was not a requirement at the time of development and there is no safe path for this sidewalk to be provided now.

Reduce the required onsite parking: The site plan has provided 18 on-site parking spaces where almost 22 spaces are required. This is only about a 20% reduction in the overall parking. There is space available in the rear of the business for parking, if necessary. Additionally, on-street

parking is provided along Boulder Highway (NDOT jurisdiction) should additional spaces be needed.

Allow non-decorative metal for the exterior of the existing building: The building is existing. No development is occurring at this time. The non-decorative metal on the exterior of the building is similar to many of the businesses in this part of town and reflects the exterior design allowed at the time of development.

Allow existing vertical metal exterior siding for the building: The building is existing. No development is occurring at this time. The vertical metal siding on the exterior of the building is similar to many of the businesses in this part of town and reflects the exterior design allowed at the time of development.


Permit existing rooftop mechanical equipment to not be screened: The building and its mechanical equipment is existing. Rooftop mechanical units are typical of this older industrial part of town. An attempt to screen the mechanical units may not be practical from a structural standpoint and may prove to be a costly renovation just for aesthetics.

Allow non-standard improvements (landscaping) within the right-of-way: Boulder Highway is within NDOT's jurisdiction and the landscaping provided is typical of all the businesses along this portion of Boulder Highway. Should NDOT require the landscaping removed, the owner will comply.

Due to the nature of this particular zoning application – additional services at an existing, developed business site, we feel that our waiver of standards, design review, use permit and zoning applications can be justified. These improvements have been a part of the neighborhood since the 70's. The property is improved, clean, and well maintained. It is an enhancement to the surrounding businesses. We feel the endorsement of the vehicles sales in conjunction with the existing business will not have a negative effect on the environment or general welfare of the public or surrounding area.

Thank you for your consideration of this request. Should you have any questions, feel free to reach me at this office.

Sincerely,  
**Baughman & Turner, Inc.**

  
David S. Turner  
President

PLANNER  
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