ATTACHMENT A
SPRING VALLEY TOWN ADVISORY BOARD
ZONING AGENDA
TUESDAY, 6:30 P.M., JANUARY 31, 2017

02/21/17 PC

1. **NZC-0897-16 – GIGLIA FAMILY TRUST:**
ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for a senior housing project.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a senior housing project with associated structures and uses. Generally located on the north side of Russell Road, 625 feet west of Fort Apache Road within Spring Valley (description on file). SB/pb/mcb (For possible action)

2. **NZC-0898-16 – THE BAKHTIAN LIMITED PARTNERSHIP:**
ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-4 (Multiple Family Residential - High Density) Zone in the MUD-3 Overlay District.
USE PERMIT for a senior housing project.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a senior housing project with associated structures and uses. Generally located on the north side of Tropicana Avenue, 330 feet west of Grand Canyon Drive within Spring Valley (description on file). SB/pb/mcb (For possible action)

3. **NZC-0904-16 – LABBE FAMILY TRUST, ET AL:**
ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone and R-E (Rural Estates Residential) Zone (AE-60) Zone to R-2 (Medium Density Residential) and R-2 (Medium Density Residential) (AE-60) Zone in the CMA Design Overlay District.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** increased finished graded. Generally located on the east side of Rosanna Street, 275 feet south of Russell Road within Spring Valley. SS/pb/ml (For possible action)

4. **TM-0183-16 - LABBE FAMILY TRUST:**
TENTATIVE MAP consisting of 36 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone and an R-2 (Medium Density Residential) (AE-60) Zone for a single family residential development in the CMA Design Overlay District. Generally located on the east side of Rosanna Street, 275 feet south of Russell Road within Spring Valley. SS/pb/mcb (For possible action)

5. **VS-0905-16 - LABBE FAMILY TRUST:**
VACATE AND ABANDON easements of interest to Clark County located between Rosanna Street and Rainbow Boulevard, and Oquendo Road and Russell Road within Spring Valley (description on file). SS/pb/mcb (For possible action)

6. **DR-0896-16 – SDSW2, LLC:**
DESIGN REVIEW for a proposed retail center on a 3.0 acre portion of a 20.4 acre parcel in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the south side of Sunset Road and the west side of Riley Street (alignment) within Spring Valley. SB/al/mcb (For possible action)

7. **DR-0917-16 –FLAMINGO POINTE PARTNERS, LLC:**
DESIGN REVIEW for a proposed freestanding sign in conjunction with an existing mixed use development on 5.5 acres in a U-V (Urban Village - Mixed Use) Zone in the MUD-3 Overlay District. Generally located on the north side of Flamingo Road, 260 feet west of Fort Apache Road within Spring Valley. SB/mk/ml (For possible action)

8. **NZC-0664-13 (ET-0192-16) – WARMINGTON SOLANA APARTMENTS ASSOCIATES, LLC:**
ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 9.2 acres from C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone in the CMA Design, MUD-3 and MUD-2 Overlay Districts.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased building height; and **2)** reduced setbacks for garage openings to a drive aisle.
DESIGN REVIEW for a multiple family residential development. Generally located on the east side of the 215 Beltway and the north and south sides of Post Road (alignment) within Spring Valley (description on file). SB/jvm/mcb (For possible action)

9. **UC-0895-16 – SDSW2, LLC:**
USE PERMIT to increase the height of a proposed hotel.
WAIVER OF CONDITIONS to a zone change (ZC-0613-04) requiring full off-site improvements.
WAIVER OF DEVELOPMENT STANDARDS to waive sidewalks adjacent to a street (Rafael Rivera Way).
DESIGN REVIEW for a proposed hotel on a 2.4 acre portion of a 20.4 acre parcel in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts. Generally located on the south side of Sunset Road and the east side of Rafael Rivera Way within Spring Valley. SB/al/ml (For possible action)

10. **UC-0920-16 – DURANGO POST, LLC:**
USE PERMITS for the following: **1)** reduce separation from residential use to a proposed convenience store; **2)** reduce setback from residential use to a proposed gasoline/fuel canopy; and **3)** reduce setback from a residential use to a proposed vehicle (automobile) wash.
DESIGN REVIEWS for a proposed shopping center including the following: **1)** a proposed in-line retail building; **2)** a proposed convenience store; **3)** a proposed gasoline/fuel canopy; **4)** a proposed vehicle (automobile) wash; and **5)** a proposed smog check station on 4.3 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-3 Overlay Districts. Generally located on the west side of Durango Drive and the north side of Post Road within Spring Valley. SB/mk/ml (For possible action)

02/21/17 PC AGENDA SHEET

SENIOR HOUSING
(TITLE 30)

RUSSELL RD/FT APACHE RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0897-16 – GIGLIA FAMILY TRUST:

ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-4 (Multiple Family Residential - High Density) Zone.
USE PERMIT for a senior housing project.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a senior housing project with associated structures and uses.

Generally located on the north side of Russell Road, 625 feet west of Fort Apache Road within Spring Valley (description on file). SB/pb/mcb (For possible action)

RELATED INFORMATION:

APN:
163-30-801-009

WAIVER OF DEVELOPMENT STANDARDS:
Increase the building height up to 39 feet where 35 feet is the standard (an 11.5% increase).

LAND USE PLAN:
SPRING VALLEY - RESIDENTIAL HIGH (8 DU/AC TO 18 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 5
- Number of Units: 193
- Density (du/ac): 38.6
- Project Type: Senior housing project
- Number of Stories: 3
- Building Height: 39
- Open Space Required/Provided: 19,300 square feet/25,400 square feet
- Parking Required/Provided: 193/247

Neighborhood Meeting Summary
The applicant conducted a neighborhood meeting on December 8, 2016 as required by the non-conforming amendment process, prior to formal filing of this application. All owners within

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1,500 feet of the project site were notified about the meeting. No neighbors attended the meeting.

Site Plans
The plans depict a proposed senior housing facility consisting of a single building in the center of the site. Usable open space including a swimming pool, garden, and outside sitting areas are located in 3 courtyards on the east side of the building. A drive aisle with parking circles the building and connects to Tropicana Avenue via 2 driveways. A total of 247 parking spaces will be provided including 160 covered parking spaces.

Landscaping
The street landscaping is shown at a width of 20 feet along Russell Road with a detached sidewalk. The perimeter landscaping includes 6 foot wide landscape areas along the north, east, and west property lines with trees 20 feet on center. The landscape materials include trees, shrubs, and groundcover. Interior to the site, open space and landscaping are equitably distributed throughout the development and consists of active and passive open space areas which include an indoor recreational area, swimming pool and deck area. The amount of passive and active open space is depicted at 25,400 square feet where 19,300 square feet is required.

Elevations
The plans depict a 39 foot high senior housing facility with 3 stories. There is substantial plane variation that creates articulation along all sides of the project. The proposed building materials include stucco finished walls and a concrete tile roof. Accents consist of recessed lines, wrought iron railing, and window treatments.

Floor Plans
The plans show 1 and 2 bedroom units consisting of 120, one bedroom units; and 73, two bedroom units. The buildings will have balconies for some of the units on various sides including the north elevation, facing the single family development to the north.

Signage
Signage is not a part of this request.

Applicant's Justification
The applicant indicates that the current land use designation for this site is Residential High (up to 18 dwelling units per acre); however, similar multi-family residential uses have been approved to the west. The proposed zone change will not result in any additional impacts on surrounding infrastructure and services not already contemplated in the area. The applicant also states that the site is located on a major arterial, Russell Road and is compatible with the adjacent land uses in conformance with Urban Specific Policy 10 of the Comprehensive Plan which encourages site designs to be compatible with adjacent land use and circulation patterns. The increase building height is appropriate because the additional height is composed solely of roof slope that will shield mechanical equipment and not living space. Senior housing options are necessary and compatible with the surrounding uses.

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Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0382-16	Reclassify the site from R-E to R-3 zoning for a proposed attached single family residential development	Withdrawn prior to final action	August 2016
VS-0381-16	Vacation and abandonment of patent easements	Withdrawn prior to final action	August 2016
TM-0083-16	Subdivide this site into 53 single family residential lots	Withdrawn prior to final action	August 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North*	Residential Suburban	R-2	Single family subdivision
South	Commercial General	C-2	Mini storage facility & commercial complex
East	Commercial General	C-2	undeveloped
West	Residential High	R-3	Condominium complex

*Immediately to the north is a 110 foot wide flood control channel.

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

Analysis
Current Planning
The non-conforming zone change amendment ordinance requires that the applicant provide compelling justification that approval of the non-conforming zoning is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below for proposed non-conforming zone boundary amendments:

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

The applicant states that the site is adjacent to existing multi-family residential uses to the west and south; therefore, the policies and trends in the area support the proposed development.

Staff finds the development patterns in the area have trended toward higher density residential uses and more intense commercial use. The Russell corridor, west of Fort Apache Road, is characterized as an area of more intense development.

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

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The applicant indicates that similar multi-family residential uses have been approved in the area. Although this project will have a higher density, it is unique because the site will be developed as a senior housing facility which will not be any more intense than the existing residential uses in the area.

Staff agrees and finds that the requested density and design of the buildings are appropriate for the area.

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

Various Clark County service departments have reviewed this development proposal and based on the information submitted by the applicant and comments received from those service providers, the project is not anticipated to have substantial adverse effects on services and facilities.

Staff finds water and sewer utilities are located near the site and the applicant will provide the necessary infrastructure connecting to the existing utilities. In addition, this development has access to Russell Road, a 100 foot wide right-of-way which complies with the Clark County Comprehensive Land Use Plan for multiple family developments to be located adjacent to arterial or collector streets.

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

The project complies with Urban Land Use Policy 57 of the Comprehensive Plan which encourages that multiple family developments be located near transit (or where it may become available) along with pedestrian and road networks that can accommodate higher residential densities. Additionally, Policy 55 encourages spatial distribution rather than massing of buildings. The buildings depict a substantial amount of articulation and varied elevations. Finally, Policy 51 encourages all multiple family projects provide several amenities such as usable open space, swimming pools, barbeque pits, and community centers. The site design depicts a future pool, an indoor recreational area, and other open space amenities. Overall, the site meets the applicable goal and policies for multiple family developments set forth in the Comprehensive Land Use Plan.

Summary

Zone Change

Based on the analysis above, staff finds that the trend in the area for higher density residential development makes this request appropriate at this location. The proposed zoning is consistent and compatible with the existing and approved land uses in the area. The plans depict a use, design, and geographic location of the project that is compliant with all applicable goals and policies contained within the land use plan, specifically Goal 5 of the land use plan regarding multiple family residential development and all corresponding policies. This request for a multi-family residential development will complement the existing uses in the area as well. Therefore, staff finds the applicant has provided a compelling justification for the proposed zone change and can support the zoning request.

Use Permit

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

The applicant is requesting a use permit to allow this site to be developed as a senior housing project. The density and intensity of the facility are compatible with the existing and planned developments in this area and the facility will meet or exceed Code requirements. The location of the project, in relation to planned and approved uses in the immediate area, is not anticipated to negatively impact the neighborhood. Therefore, staff finds that this request conforms to Urban Land Use Policy 53 which states that multiple family developments should be compatible with adjoining land uses and densities through site planning and building design.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. 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. One of several criteria that must be addressed is the use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner.

Buildings up to 50 feet in height could be developed on the adjacent parcels to the east that are in a C-2 zone. Therefore, staff finds the request is compatible with the existing and proposed development in the area, and can support the request subject to the applicant providing an intense landscape buffer along the north property line adjacent to an existing single family residential development.

Design Review

Staff finds the proposed building will be compatible with the approved development adjacent to the site and will not negatively affect the surrounding area. Appropriate landscape buffers, setbacks, lighting, and structure height have been incorporated in the design and layout of this project. The building will be architecturally compatible in terms of colors, materials and style; therefore, staff can support this request. The plans depict a development that is compliant with all applicable policies contained within the land use plan regarding the design of multiple family residential developments. Specifically, the site design is compliant with Urban Land Use Policy 55 of the Comprehensive Plan that encourages alternatives such as varied elevations, roof forms, and surface planes. The varying roof heights, surface planes, and other architectural enhancements help to reduce the overall mass of the multi-family residential buildings. This site is also complaint with Policy 55 which encourages spatial distribution rather than massing of buildings.

Staff Recommendation

Approval. This item will be forwarded to the Board of County Commissioners' meeting on March 22, 2017 at 9:00 a.m. for final action, unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- A resolution of intent to complete construction in 3 years;
- Design review as a public hearing for significant changes to the plans;
- Provide an intense landscape buffer per Figure 30.64-12 along the north property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to back of curb for Russell Road.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building/Fire Prevention

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Ovation Development Corporation
CONTACT: Jennifer Lazovich, Kaempfer Crowell, 1980 Festival Plaza Drive, Suite 650, Las Vegas, NV 89135

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02/21/17 PC AGENDA SHEET

SENIOR HOUSING (TITLE 30) — TROPICANA AVE/GRAND CANYON DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0898-16 – THE BAKHTIAN LIMITED PARTNERSHIP:

ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone to R-4 (Multiple Family Residential - High Density) Zone in the MUD-3 Overlay District.
USE PERMIT for a senior housing project.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a senior housing project with associated structures and uses.

Generally located on the north side of Tropicana Avenue, 330 feet west of Grand Canyon Drive within Spring Valley (description on file). SB/pb/mcb (For possible action)

RELATED INFORMATION:

APN:
163-19-403-003

WAIVER OF DEVELOPMENT STANDARDS:
Increase the building height up to 39 feet where 35 feet is the standard (an 11.5% increase).

LAND USE PLAN:
SPRING VALLEY - RESIDENTIAL HIGH (8 DU/AC TO 18 DU/AC)

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 5
- Number of Units: 182
- Density (du/ac): 36.4
- Project Type: Senior housing project
- Number of Stories: 3
- Building Height: 39
- Open Space Required/Provided: 18,200 square feet/28,200 square feet
- Parking Required/Provided: 182/263

Neighborhood Meeting Summary
The applicant conducted a neighborhood meeting on November 30, 2016 as required by the non-conforming amendment process, prior to formal filing of this application. All owners within 1,500 feet of the project site were notified about the meeting. There were 3 neighbors in

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attendance for this item who were interested in the unit size, rent rates, and timing of construction. No neighbors voiced concerns or were in opposition to the project.

Site Plans

The plans depict a proposed senior housing facility consisting of a single building in the center of the site. Usable open space including a swimming pool, garden, and outside sitting areas are located in 3 courtyards on the east side of the building. A drive aisle with parking circles the building and connects to Tropicana Avenue via 2 driveways. A total of 263 parking spaces will be provided including 180 covered parking spaces and 20 garage spaces.

Landscaping

The street landscaping is shown at a width of 20 feet along Tropicana Avenue with a detached sidewalk. The perimeter landscaping includes 6 foot wide landscape areas along the east and west property lines and a 10 foot wide landscape area along the northern property line with the trees 20 foot on center. The landscape materials include trees, shrubs, and groundcover. Interior to the site, open space and landscaping are equitably distributed throughout the development and consists of active and passive open space areas which include an indoor recreational area, swimming pool and deck area. The amount of passive and active open space are depicted at 28,200 square feet where 18,200 square feet is required.

Elevations

The plans depict a senior housing facility ranging in height from 26 feet to 39 feet. The northern portion of the building is 2 stories and 26 feet in height while the southern portion of the building is 3 stories and 39 feet at the highest point. There is substantial plane variation that creates articulation along all sides of the project. The proposed building materials include stucco finished walls and a concrete tile roof. Accents consist of recessed lines, wrought iron railing, and window treatments.

Floor Plans

The plans show 1 and 2 bedroom units consisting of 130, one bedroom units; and 52, two bedroom units. The buildings will have balconies for some of the units on various sides including the north elevation, facing the single family development to the north.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the current land use designation for this site is Residential High (up to 18 dwelling units per acre); however, it is also located within the MUD-3 Overlay District which could allow a density of up to 32 dwelling units per acre. Similar multi-family residential and mixed use projects have been approved to the east and west. The proposed zone change will not result in any additional impacts on surrounding infrastructure and services not already contemplated in the area. The applicant also states that the site is located on a major arterial, Tropicana Avenue, and is compatible with the adjacent land uses in conformance with Urban Specific Policy 10 of the Comprehensive Plan which encourages site designs to be compatible with adjacent land use and circulation patterns. The increase in building height is required for the southern portion of the building while the height of the northern portion of the building is

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similar to the single family residential dwellings to the north. Senior housing options are necessary and compatible with the surrounding uses.

Prior Land Use Requests

Application Number	Request	Action	Date
TA-0699-13	Amendment to the Mixed-Use Overlay District map designation on 120.0 acres from Mixed-Use Overlay Sub-District 4 (MUD-4) to Mixed-Use Overlay Sub-District 3 (MUD-3)	Approved by BCC	January 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban	R-2	Single family development
South	Commercial Neighborhood	C-1	Undeveloped
East	Residential Urban Center (18 du/ac up to 32 du/ac)	U-V	Mixed use development under construction
West	Residential High	R-5 (ROI-0418-16)	Undeveloped

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

Analysis
Current Planning
The non-conforming zone change amendment ordinance requires that the applicant provide compelling justification that approval of the non-conforming zoning is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below for proposed non-conforming zone boundary amendments:

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

The applicant states that a mix of uses, including properly designed senior housing facility are appropriate for the area. Additionally, the applicant states that although the property is planned for a density of up to 18 dwelling units per acre, the site is also located within the MUD-3 Overlay District which could allow a density of up to 32 dwelling units per acre.

Staff finds the development patterns have changed in the area, which have trended toward higher density residential uses. The Tropicana corridor, east of Hualapai Way, is characterized as an area of more intense development. Some examples of higher density residential development are as follows:

- The development of a 5 acre mixed use project (currently under construction) at the northwest corner of W. Tropicana Avenue and S. Grand Canyon Drive was approved in June 2014 for 175 units a density of 33.7 du/ac. The building is 4 stories tall.

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- The development of a multi-family residential development on the adjacent parcels to the west was approved in September 2016. The buildings will be 39 feet high.
- The approval of a 5 acre assisted/independent living facility southwest of the subject site in October 2015 for 153 total units/beds. The building is 3 stories tall.

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

The applicant indicates that similar uses and building heights have been approved in the area. Therefore, the use and density for this application are consistent and compatible with the existing and approved projects in the vicinity. Furthermore, the applicant indicates that this project will provide an appropriate transition from the approved and existing commercial developments along Tropicana Avenue adjacent to the existing single family development to the north.

Staff agrees and finds that the requested density and design of the buildings that are shown at lower heights adjacent to the single family residential development provides for a better transition to the existing single family use.

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

Various Clark County service departments have reviewed this development proposal and based on the information submitted by the applicant and comments received from those service providers, the project is not anticipated to have substantial adverse effects on services and facilities.

Staff finds water and sewer utilities are located near the site and the applicant will provide the necessary infrastructure connecting to the existing utilities. In addition, this development has access to Tropicana Avenue, a 100 foot wide right-of-way which complies with the Clark County Comprehensive Land Use Plan for multiple family developments to be located adjacent to arterial or collector streets.

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

The project complies with Urban Land Use Policy 57 of the Comprehensive Plan which encourages that multiple family developments be located near transit (or where it may become available) along with pedestrian and road networks that can accommodate higher residential densities. Additionally, Policy 55 encourages spatial distribution rather than massing of buildings. The buildings depict a substantial amount of articulation and varied elevations. Finally, Policy 51 encourages all multiple family projects provide several amenities such as usable open space, swimming pools, barbeque pits, and community centers. The site design depicts a future pool, an indoor recreational area, and other open space amenities. Overall, the site meets the applicable goal and policies for multiple family developments set forth in the Comprehensive Land Use Plan.

Summary

Zone Change

Based on the analysis above, staff finds that the trend in the area for higher density residential development makes this request appropriate at this location. The proposed zoning is consistent and compatible with the MUD Overlay and approved land uses in the area. The proposed density is consistent with the nearby land uses in the area and less dense than what is permitted within the MUD-3 Overlay District. The plans depict a use, design, and geographic location of the project that are compliant with all applicable goals and policies contained within the land use plan, specifically Goal 5 regarding multiple family residential development and all corresponding policies. This request for a multi-family residential development will complement the existing uses in the area as well. Therefore, staff finds the applicant has provided a compelling justification for the proposed zone change and can support the zoning request.

Use Permit

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

The applicant is requesting a use permit to allow this site to be developed as a senior housing project. The density and intensity of the facility are compatible with the existing and planned developments in this area and the facility will meet or exceed Code requirements. The location of the project, in relation to planned and approved uses in the immediate area, is not anticipated to negatively impact the neighborhood. Therefore, staff finds that this request conforms to Urban Land Use Policy 53 which states that multiple family developments should be compatible with adjoining land uses and densities through site planning and building design.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the waivers of development standards are appropriate for this location. 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. One of several criteria that must be addressed is the use and value of the area adjacent to the property included in the waiver request will not be affected in a substantially adverse manner.

Buildings similar in height to this building have been approved and could be developed in this area because the subject site and surrounding area are in a MUD-3 Overlay District. Therefore, staff finds the request is compatible with the existing and proposed development in the area, and can support the request subject to the applicant providing an intense landscape buffer along the north property line adjacent to an existing single family residential development.

Design Review

Staff finds the proposed building will be compatible with the approved development adjacent to the site and will not negatively affect the surrounding area. Appropriate landscape buffers, setbacks, lighting, and structure height have been incorporated in the design and layout of this project. The building will be architecturally compatible in terms of colors, materials and style; therefore, staff can support this request. The plans depict a development that is compliant with

all applicable policies contained within the land use plan regarding the design of multiple family residential developments. Specifically, the site design is compliant with Urban Land Use Policy 55 of the Comprehensive Plan that encourages alternatives such as varied elevations, roof forms, and surface planes. The varying roof heights, surface planes, and other architectural enhancements help to reduce the overall mass of the multi-family residential buildings. This site is also complaint with Policy 55 which encourages spatial distribution rather than massing of buildings.

Staff Recommendation
Approval. This item will be forwarded to the Board of County Commissioners' meeting on March 22, 2017 at 9:00 a.m. for final action, unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning
- A resolution of intent to complete construction in 3 years;
- Design review as a public hearing for significant changes to the plans;
- Provide an intense landscape buffer per Figure 30.64-12 along the north property line;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 45 feet to back of curb for Tropicana Avenue.
- Applicant is advised that the installation of detached sidewalks will require dedication to back of curb and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control.

Building/Fire Prevention
- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Ovation Development Corporation
CONTACT: Jennifer Lazovich, Kaempfer Crowell, 1980 Festival Plaza Drive, Suite 650, Las Vegas, NV 89135

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02/21/17 PC AGENDA SHEET

SINGLE FAMILY RESIDENTIAL
(TITLE 30)

ROSANNA ST/RUSSELL RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0904-16 – LABBE FAMILY TRUST, ET AL:

ZONE CHANGE to reclassify 5.0 acres from R-E (Rural Estates Residential) Zone and R-E (Rural Estates Residential) Zone (AE-60) Zone to R-2 (Medium Density Residential) and R-2 (Medium Density Residential) (AE-60) Zone in the CMA Design Overlay District.
DESIGN REVIEWS for the following: **1)** single family residential development; and **2)** increased finished graded.

Generally located on the east side of Rosanna Street, 275 feet south of Russell Road within Spring Valley. SS/pb/ml (For possible action)

RELATED INFORMATION:

APN:
163-34-501-011 & 017

DESIGN REVIEWS:
1. Single family residential development.
2. Increase finished graded to 36 inches where 18 inches is allowed (a 100% increase).

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL & OFFICE PROFESSIONAL

BACKGROUND:
Project Description
General Summary
- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 36 residential/5 common elements
- Density (du/ac): 7.2
- Minimum/Maximum Lot Size (square feet): 4,003 square feet/5,649 square feet (gross/net are the same)
- Project Type: Single family residential
- Number of Stories: 2
- Building Height: 26 feet, 10 inches
- Square Feet: 1,688 to 2,850

DRAFT

Neighborhood Meeting Summary

This request is for a nonconforming zone change to reclassify approximately 5.0 acres from an R-E zone to an R-2 zone to allow a single family residential development. The applicant conducted a neighborhood meeting at the Desert Breeze Community Center on December 8, 2016, as required by the nonconforming zone boundary amendment process. The required meeting notices were mailed to the neighboring property owners within 1,500 feet of the project site. Two neighbors were present who expressed no concerns related to the zone change.

Site Plans

The plans depict a single family residential development consisting of 36 residential lots and 5 common lots on 5.0 acres for a density of 7.2 dwelling units per acre. The average lot size is shown at 4,313 square feet. The site design shows Quail Avenue terminating in a cul-de-sac on the eastern portion of the site. Eleven lots will have direct access to Rosanna Street while the other lots will have 1 access point from Rosanna Street via a 41 foot wide private street with a 4 foot wide sidewalk on 1 side of the street. The common element lots consist of 3 small street landscape buffers and 2 drainage easements; there is no functional open space interior of the development. The plans also depict an increase in finished grade up to 3 feet across the property.

Landscaping

The plans depict a 6 foot wide landscape area adjacent to attached sidewalks along the cul-de-sac terminating Quail Avenue, along a portion of Rosanna Street, and the south side of the private street accessing Rosanna Street. A row of trees 20 feet on center is located along the north, east, and south boundaries of the project.

Elevations

The submitted plans propose 2 different floor plans with 3 elevation styles per floor plan. All of the models are 2 story homes at a maximum height of 26 feet, 10 inches and will have similar building materials consisting of stucco finished walls with decorative stone veneer accents, window articulation on all sides, with concrete tile roofs.

Floor Plans

The plans depict homes from approximately 1,688 square feet to 2,850 square feet with 3 to 4 bedrooms and 2 car garages.

Applicant's Justification

The applicant indicates that the site is suitable for a single family residential development and is consistent with the existing single family development to the west. The applicant indicates the current request will result in a less intense use than originally planned. The applicant believes that the character of the area will be unaffected by this proposal and based on the planned land use designation of Commercial General and Office Professional on this site, the request for R-2 zoning will have less impact on traffic and other public services than more intense commercial uses.

DRAFT

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0613-13	Vacate government patent easements along the perimeter of the properties	Withdrawn prior to final action	January 2014
NZC-0612-13	Reclassify the site from R-E to R-2 zoning for a single family residential development	Withdrawn prior to final action	January 2014
TM-0166-13	38 single family residential lots	Withdrawn prior to final action	January 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped
South	Commercial General	C-2	Undeveloped
East	Commercial General	C-2 & R-E	Commercial center & undeveloped property
West	Residential Suburban and Public Facilities	R-2 & R-E	Single family development & undeveloped property

Related Applications

Application Number	Request
VS-0905-16	A vacation of patent easements on the properties is a companion item on this agenda.
TM-0183-16	A map to subdivide this site into 36 single family lots is a companion item on this agenda.

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

Analysis
Current Planning
This request does not conform to the Spring Valley Land Use Plan. Non-conforming zone boundary amendments must provide compelling justification that approval of the non-conforming zoning is appropriate. A Compelling Justification means the satisfaction of the following criteria as listed below for proposed non-conforming zone boundary amendments:

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

The applicant indicates that residential development in the area has remained constant while the commercial development in the area has been stagnant for many years.

Staff finds there are no unique or special circumstances that have occurred in the immediate area since the adoption of the Spring Valley Land Use Plan to make this request appropriate. While there has been approved residential developments west of Rosanna Street, those developments were planned for Suburban Residential uses in the Spring Valley Land Use Plan. The quadrant or area between Rosanna Street, Rainbow Boulevard, Russell Road, and Oquendo Road is approximately 20 acres. Approximately 7.5 of the 20 acres have developed with a commercial use. The remaining area within the quadrant is undeveloped with some parcels already zoned for commercial uses. The intrusion of a single family residential use in an area that is predominantly commercial uses, without an appropriate transitional space or use will create future land use conflicts and cannot be justified. Staff finds that market conditions and real estate trends should not be considered for the review of this application. The appropriate time to use these trends for land use planning would be during a land use plan amendment when the impact to the community as a whole can be reviewed and not the impact to a single site.

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

This property is located across the street from an existing R-2 zoned development and directly west of existing commercial development. To the north and south is undeveloped land that is zoned and planned for commercial uses. It is the applicant's belief that the proposed R-2 zoning would be more compatible and less intense than the approved and planned uses in the area.

Staff finds the locations indicated by the applicant should not be used to justify this request because this project will, in essence, be a freestanding subdivision that will neither be cohesive nor functionally integrated with any adjacent parcels on the north, south, and east of this site. Staff is concerned with the potential incompatibility between this development and existing land uses in the immediate area. The existing or approved developments in the immediate area, either adjacent or contiguous to the project site, are generally intense uses with corresponding impacts such as lighting, noise, and traffic. Therefore, staff finds the proposed project is not compatible with the density and intensity of the existing and planned land uses in the surrounding area.

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

The applicant indicates the proposed residential use will result in the property being developed as a less intense use than what would be expected for a commercial development; therefore, public infrastructure facilities will not be adversely impacted.

Various Clark County service departments have reviewed this development proposal and found adequate services available or have specified the type of improvements that are needed for this development.

Based on information received from the Clark County School District, the elementary school located within the corresponding school zone is over-capacity for the 2016-2017 school year.

Staff is concerned that the cumulative impact from the individual student yield of this project and future projects in the immediate area may further exacerbate the existing capacity situations, especially since this area was not planned to accommodate additional residential development and no new schools are planned in the future.

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

The applicant states that the proposed development satisfies County goals by providing single family residential development that is compatible with the surrounding residential developments and providing appropriate landscaping to buffer the project from the existing and proposed commercial uses in the area.

Staff finds the location of this request and overall site design in relation to the existing commercial developments in the area make this non-compliant to all other applicable goals and policies contained within the land use plan. The proposed single family residential development is located in an area that is planned and zoned for various commercial uses. It is appropriate for office professional and commercial general uses. Therefore, the request does not conform to the policies in the Comprehensive Plan for development in this area and it conflicts with Urban Specific Policy 8 that discourages nonconforming zone changes.

Summary

Zone Change

The quadrant or area between Rosanna Street, Rainbow Boulevard, Russell Road, and Oquendo Road is approximately 20 acres. Approximately 7.5 of the 20 acres have developed with a commercial use. The remaining area within the quadrant is undeveloped with some parcels already zoned for commercial uses. The intrusion of a single family residential use in an area that is predominantly commercial uses, without an appropriate transitional space or use, will create future land use conflicts and cannot be justified or appropriate. One of the primary reasons for non-residential land use designations during the last major update to the Spring Valley Land Use Plan was the land use context in which this site is situated, which is primarily non-residential.

Staff is concerned with the potential incompatibility between this development and existing land uses immediately adjacent to the site. The existing or approved developments in the immediate area are generally intense uses with corresponding impacts such as lighting, noise, and traffic. Therefore, staff finds the proposed project is not compatible with the density and intensity of the existing and planned land uses in the surrounding area.

The issue of establishing an isolated stand-alone single family residential development in the immediate area through a non-conforming zone change and not part of a comprehensive land use plan update could have adverse impacts to the immediate area. Unexpected land use patterns may have significant impacts on traffic, noise, and lighting that may lead to dramatic changes in existing area. Staff finds that a more sound and predictable approach to consider this proposed zoning would be through a comprehensive land use plan update. A land use plan update allows for more public review of the proposed land use intensity and pattern and ensures a predictable consideration of the range of uses with corresponding impacts and a cohesive and uniform land use pattern in the surrounding area.

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Therefore, staff finds the applicant has neither demonstrated nor satisfied the criteria for compelling justification to merit approval of the application.

Design Review #1
Although the design of the elevations and floor plans meet Urban Land Use Policy 43 of the Comprehensive Plan by providing a variety of elevations with articulating building facades; staff is concerned that the subdivision layout is not consistent or compatible with the approved and planned land uses in the area. The site plans depict Quail Avenue, a street with existing commercial development, terminating in a cul-de-sac in the middle of the development encouraging commercial traffic to enter a residential area. Staff finds this design conflicts with Urban Land Use Policy 10 which encourages site designs to be compatible with adjacent land uses and off-site circulation patterns. Furthermore, the stub street designated Street C on the plans is not appropriate and is only there to avoid installing a cul-de-sac on the street running from north to south and designated Street B on the plans.

Public Works – Development Review
Design Review #2
This design review represents the maximum grade difference along the boundary of this application. This information is based on preliminary data to set the worst case scenario. Staff will continue to evaluate the site through the technical studies required for this application. Approval of this application will not prevent staff from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation
A portion of the property lies within the AE-60 (60-65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand. The currently planned land use designation is CG (Commercial General) and OP (Office Professional), which permits many airport-compatible uses. Due to this fact, this proposal is incompatible with current and future noise levels present at this location.

Staff Recommendation
Approval of design review #2; and denial of the zone change and design review #1. This item will be forwarded to the Board of County Commissioners' meeting on March 22, 2017 at 9:00 a.m. for final action, unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning
If approved:

- A resolution of intent to complete construction in 3 years;

- Design review as a public hearing for significant changes to the plans;
- Maximum 2 story homes;
- Provide landscaping per Figure 30.64-11 along the north, south, and east property lines;
- Provide a landscape maintenance easement or CC&R's for the maintenance of the perimeter landscape area;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; and that the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Title 30.32-040-9 are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Rosanna Street and cul-de-sac at the proposed west end of Quail Avenue;
- Redesign the proposed stub street to provide an adequate 3-point turn around for emergency vehicles;
- Fire Department approval of stub street.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Department of Aviation

- If approved, for that portion that lies within the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- If approved, for that portion that lies within the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Clark County Department of Aviation;
- If approved, for that portion that lies within the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- If approved, for that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35 feet in height or 25 decibels into the building construction for the habitable space that is less than 35 feet in height.
- Applicant is advised that the Federal Aviation Administration (FAA) will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998, and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

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TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Beazer Homes
CONTACT: Actus, Darryl Lattimore, 3203 E. Warm Springs Road, Suite 400, Las Vegas, NV 89120

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02/21/17 PC AGENDA SHEET

ROSANNA/RUSSELL
(TITLE 30)

ROSANNA ST/RUSSELL RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
TM-0183-16 - LABBE FAMILY TRUST:

TENTATIVE MAP consisting of 36 single family residential lots and common lots on 5.0 acres in an R-2 (Medium Density Residential) Zone and an R-2 (Medium Density Residential) (AE-60) Zone for a single family residential development in the CMA Design Overlay District.

Generally located on the east side of Rosanna Street, 275 feet south of Russell Road within Spring Valley. SS/pb/mcb (For possible action)

RELATED INFORMATION:

APN:
163-34-501-011 & 017

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL & OFFICE PROFESSIONAL

BACKGROUND:
Project Description
General Summary

- Site Address: N/A
- Site Acreage: 5
- Number of Lots: 36 residential/5 common elements
- Minimum/Maximum Lot Size: 4,003 square feet/5,649 square feet (gross/net are the same)
- Density: 7.2
- Project Type: Single family residential

Site Plans
The plans depict a single family residential development consisting of 36 residential lots and 5 common lots on 5.0 acres for a density of 7.2 dwelling units per acre. The average lot size is shown at 4,313 square feet. The site design shows Quail Avenue terminating in a cul-de-sac on the eastern portion of the site. Eleven lots will have direct access to Rosanna Street while the other lots will have 1 access point from Rosanna Street via a 41 foot wide private street with a 4 foot wide sidewalk on 1 side of the street. The common element lots consist of 3 small street landscape buffers and 2 drainage easements; there is no functional open space interior of the development.

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Prior Land Use Requests

Application Number	Request	Action	Date
VS-0613-13	Vacate government patent easements along the perimeter of the properties	Withdrawn prior to final action	January 2014
NZC-0612-13	Reclassify the site from R-E to R-2 zoning for a single family residential development	Withdrawn prior to final action	January 2014
TM-0166-13	38 single family residential lots	Withdrawn prior to final action	January 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped
South	Commercial General	C-2	Undeveloped
East	Commercial General	C-2 & R-E	Commercial center & undeveloped property
West	Residential Suburban and Public Facilities	R-2 & R-E	Single family development & undeveloped property

Related Applications

Application Number	Request
NZC-0904-16	A non-conforming zone change for R-2 zoning is a companion item on this agenda.
VS-0905-16	A vacation of patent easements on the properties is a companion item on this agenda.

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

Analysis
Current Planning
This request meets the tentative map requirements as outlined in Title 30. However, since staff does not support the non-conforming zone change and design review associated with NZC-0904-16, staff cannot support this application.

Department of Aviation
A portion of the property lies within the AE-60 (60-65 DNL) noise contour for McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel is expected to increase significantly, and the subject property lies beneath flight paths that have been used since the 1960s. Clark County intends to continue to upgrade McCarran International Airport facilities to meet future air traffic demand. The currently planned land use designation is CG (Commercial General) and OP (Office Professional), which

permits many airport-compatible uses. Due to this fact, this proposal is incompatible with current and future noise levels present at this location.

Staff Recommendation
Denial. This item will be forwarded to the Board of County Commissioners' meeting on March 22, 2017 at 9:00 a.m. for final action, unless otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning
If approved:

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that a final map for all, or a portion, of the property included under this application must be recorded within 4 years or it will expire.

Public Works – Development Review

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Title 30.32-040-9 are needed to mitigate drainage through the site;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet for Rosanna Street and cul-de-sac at the proposed west end of Quail Avenue;
- Redesign the proposed stub street to provide an adequate 3-point turn around for emergency vehicles;
- Fire Department approval of stub street.
- Applicant is advised that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Current Planning Division – Addressing

- Need approved street names;
- Street C is not a street and will not be named.

Department of Aviation

- If approved, for that portion that lies within the AE-60, applicant must record a stand-alone noise disclosure form against the land, and provide a copy of the recorded document to the Clark County Department of Aviation;
- If approved, for that portion that lies within the AE-60, applicant must provide a copy of the recorded noise disclosure form to future buyers/renters, separate from other escrow documents, and provide a copy of the document to the Clark County Department of Aviation;

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- If approved, for that portion that lies within the AE-60, applicant must provide a map to future buyers/renters, as part of the noise disclosure notice, that highlights the project location and associated flight tracks, provided by the Department of Aviation when property sales/leases commence;
- If approved, for that portion that lies within the AE-60, incorporate an exterior to interior noise level reduction of 30 decibels into the building construction for the habitable space that exceeds 35' in height or 25 decibels into the building construction for the habitable space that is less than 35' in height.
- Applicant is advised that the Federal Aviation Administration (FAA) will no longer approve remedial noise mitigation measures for incompatible development impacted by aircraft operations, which was constructed after October 1, 1998, and that funds will not be available in the future should the residents wish to have their buildings purchased or soundproofed.

Building/Fire Prevention

- Applicant is advised that dead-end streets/cul-de-sacs in excess of 500 feet must have an approved fire department turn-around provided.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; and that a copy of their exhibit may be requested by referencing tracking number 0010-2017.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Beazer Homes
CONTACT: Actus, Darryl Lattimore, 3203 E. Warm Springs Road, Suite 400, Las Vegas, NV 89120

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02/21/17 PC AGENDA SHEET

EASEMENTS
(TITLE 30)

ROSANNA ST/RUSSELL RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
VS-0905-16 - LABBE FAMILY TRUST:

VACATE AND ABANDON easements of interest to Clark County located between Rosanna Street and Rainbow Boulevard, and Oquendo Road and Russell Road within Spring Valley (description on file). SS/pb/mcb (For possible action)

RELATED INFORMATION:

APN:
163-34-501-011 & 017

LAND USE PLAN:
SPRING VALLEY - COMMERCIAL GENERAL & OFFICE PROFESSIONAL

BACKGROUND:
Project Description
The applicant is proposing to develop the site as a single family residential development. The request is to vacate government patent easements between 3 feet and 33 feet wide along the perimeter of the parcels that are not necessary for development in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0613-13	Vacate government patent easements along the perimeter of the properties	Withdrawn prior to final action	January 2014
NZC-0612-13	Reclassify the site from R-E to R-2 zoning for a single family residential development	Withdrawn prior to final action	January 2014
TM-0166-13	38 single family residential lots	Withdrawn prior to final action	January 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Office Professional	R-E	Undeveloped
South	Commercial General	C-2	Undeveloped
East	Commercial General	C-2 & R-E	Commercial center & undeveloped property

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Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
West	Residential Suburban and Public Facilities	R-2 & R-E	Single family development & undeveloped property

Related Applications

Application Number	Request
NZC-0904-16	A non-conforming zone change for R-2 zoning is a companion item on this agenda.
TM-0183-16	A map to subdivide this site into 36 single family lots is a companion item on this agenda.

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

Analysis
Public Works – Development Review
Staff has no objection to the vacation of easements that are not necessary for site, drainage, or roadway development.

Staff Recommendation
Approval. This item will be forwarded to the Board of County Commissioners' meeting on March 22, 2017 at 9:00 a.m. for final action, or otherwise announced.

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

PRELIMINARY STAFF CONDITIONS:

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

Public Works – Development Review
- Drainage study and compliance;
- Right-of-way dedication to include 30 feet for Rosanna Street and the cul-de-sac at the west end of Quail Avenue;
- Vacation to be recordable prior to building permit issuance or applicable map submittal;
- Revise legal description, if necessary, prior to recording.

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Building/Fire Prevention

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Beazer Homes
CONTACT: Actus, Darryl Lattimore, 3203 E. Warm Springs Road, Suite 400, Las Vegas, NV 89120

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02/22/17 BCC AGENDA SHEET

RETAIL CENTER
(TITLE 30)

SUNSET RD/RILEY ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-0896-16 – SDSW2, LLC:

DESIGN REVIEW for a proposed retail center on a 3.0 acre portion of a 20.4 acre parcel in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts.

Generally located on the south side of Sunset Road and the west side of Riley Street (alignment) within Spring Valley. SB/al/mcb (For possible action)

RELATED INFORMATION:

APN:
176-05-510-001 ptn

LAND USE PLAN:
SPRING VALLEY – COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary

- Site Address: 6555 S. Riley Street
- Site Acreage: 3.0 acre portion of a 20.4 acre parcel
- Project Type: Retail Center
- Number of Stories: 1
- Building Height: 29 feet
- Square Feet: 18,000
- Parking Required/Provided: 132/137

Site Plan
The request is to develop an approximately 3 acre portion of a 20.4 acre parcel as a retail center. The proposed retail center is located at the northeast corner of the parcel and has access from Sunset Road and Riley Street. Riley Street adjacent to this parcel is a private street which provides access to the IKEA store to the east and will provide access to the undeveloped portions of this parcel. Cross access from shared driveways will provide access to a proposed hotel project to the west of this site on the same parcel. The buildings are located in the central portion of the 3 acre site with parking located along the north and west sides of the site and between the buildings. The plans indicate 1 building will be leased for a restaurant and the other building will be leased for retail uses.

Landscaping
The plans depict landscape areas consisting of trees, shrubs, and groundcover located along Sunset Road, Riley Street (private street), within the parking areas, and adjacent to the buildings.

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There are existing meandering sidewalks adjacent to Sunset Road and Riley Street. The plan indicates the landscape area adjacent to the street will be 15 feet in width.

Elevations

The plans depict 1 story buildings with a flat roof behind parapet walls. The plans indicate that the height of the parapet walls vary with 2 of the buildings between 20 feet and 23 feet in height and the third building is between 22 feet and 29 feet in height. The exterior of the buildings have a stucco finish painted in earth tone colors. Each building has aluminum storefront doors and windows, awnings, pop-outs and cornices to enhance the architectural appearance of all elevations.

Floor Plans

The retail center has 3 buildings a total area of 18,000 square feet. The buildings consist of 2 retail buildings with areas of 5,000 square feet and 3,000 square feet. The third building is a restaurant with an area of 10,000 square feet. The plans indicate the buildings will be constructed as shells and the interiors will be completed in the future to meet the needs of the future tenants.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed retail center will be an excellent addition to the surrounding neighborhood. The uses are compatible with the existing and planned land uses in this area and the architectural design of the buildings are consistent with the existing buildings in this area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0107-16	A parking lot in conjunction with the IKEA store	Approved by BCC	April 2016
WS-0107-15	Waiver of development standards and waiver of conditions for off-site improvement requirements in conjunction with an approved commercial timeshare development	Approved by BCC	April 2015
TM-0112-14	1 lot commercial subdivision on 20.4 acres	Approved by PC	September 2014
VS-0610-14	Vacation and abandonment request for easements	Approved by PC	September 2014
WS-0482-14	Deviate from the West Village Streetscape Design standards	Approved by BCC	July 2014
DR-0082-14	Commercial timeshare development and signage	Approved by BCC	April 2014
DR-0357-05 (ET-0074-09)	Second extension of time on the original design review for a mixed use development (The Curve) on 18 acres - expired	Approved by BCC	April 2009

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Application Number	Request	Action	Date
NZC-0819-04 (ET-0292-07)	First extension of time on the original U-V zoning for a mixed use development (The Curve) on 18 acres - expired	Approved by BCC	October 2007
DR-0357-05	Design review with a waiver of conditions of a non-conforming zone change for a mixed use development - expired	Approved by BCC	April 2005
UC-1717-04	Increase building height and a design review for a 100,000 square foot medical office building in conjunction with an approved mixed use development - expired	Approved by BCC	November 2004
NZC-0819-04	Non-conforming zone boundary amendment to U-V zoning for a mixed use development on 18 acres with a use permit for increased building height - expired	Approved by BCC	September 2004
ZC-0613-04	Zone boundary amendment to C-2 zoning on 29 acres for a future commercial development - this zone boundary amendment zoned the majority of the site that is part of this request	Approved by BCC	May 2004
DR-1963-03	Commercial center - expired	Approved by PC	February 2004
ZC-1749-00	Zone boundary amendment to C-2 zoning on a portion of the site that is part of this request for a 120 room, 4 story hotel	Approved by BCC	January 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 to 32 du/ac), Commercial General, & Business and Design/Research Park	R-4, C-2, & U-V	Office component of a developing horizontally mixed use development & undeveloped
East	Commercial Tourist	C-2	IKEA store
South & West	215 Beltway, Major Development Project, & Commercial Tourist	215 Beltway, H-1, R-2, & R-E	215 Beltway (Rafael Rivera Way frontage road) & undeveloped

Related Applications

Application Number	Request
UC-0895-16	A use permit for a hotel on the northwest corner of the same parcel is a related item on this agenda.*

* The applicant chose to submit the retail center and hotel as separate applications so that if there were any problems with one project it would not delay the other.

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

Analysis
Current Planning
The designs of the proposed buildings comply with Title 30 standards and policies in the Comprehensive Plan. The architectural elements used to enhance the buildings comply with Urban Land Use Policy 78 of the Comprehensive Plan, which encourages architectural treatments on all building sides to eliminate blank building elevations.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning
- Applicant is advised that per the requirements of the CMA Design Overlay District a design review application for a comprehensive sign plan is required for this project; 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; 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.

Building/Fire Prevention
- The Applicant shall submit plans for review and approval prior to installing gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions; that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; and to show fire hydrant locations on-site and within 750 feet.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

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TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: SDSW2, LLC
CONTACT: Lucy Stewart, 1930 Village Center Circle, Building 3-577, Las Vegas, NV 89134

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02/22/17 BCC AGENDA SHEET

FREESTANDING SIGN
(TITLE 30)

FORT APACHE RD/FLAMINGO RD

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-0917-16 –FLAMINGO POINTE PARTNERS, LLC:

DESIGN REVIEW for a proposed freestanding sign in conjunction with an existing mixed use development on 5.5 acres in a U-V (Urban Village - Mixed Use) Zone in the MUD-3 Overlay District.

Generally located on the north side of Flamingo Road, 260 feet west of Fort Apache Road within Spring Valley. SB/mk/ml (For possible action)

RELATED INFORMATION:

APN:
163-18-818-006

LAND USE PLAN:
SPRING VALLEY – COMMERCIAL GENERAL

BACKGROUND:
Project Description
General Summary
- Site Address: 9460 West Flamingo Road
- Site Acreage: 5.5
- Project Type: Freestanding sign
- Sign Height: 35 feet
- Square Feet: 432

History & Site Plan
This request is for a proposed freestanding sign to replace the existing 15 foot high, freestanding sign previously approved in conjunction with the existing mixed use project. The existing 216 square foot freestanding sign will be removed and replaced with the proposed sign. The proposed freestanding sign will be located on the southeast corner of the main entrance facing an east-west direction as the same location as the existing sign.

Landscaping
There are no changes to the existing landscaping along Flamingo Road, existing buffer to the north adjacent to residential, and within the mixed use project.

Signage
The plans show a proposed double-sided freestanding sign approximately 30 feet high with a 5 foot high architectural feature for a total height of 35 feet. The proposed 432 square foot, non-

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illuminated freestanding sign will consist of up to 2 foot wide by 6.5 foot long tenant panels for a total of 28 panels.

Applicant's Justification

The applicant states that the mixed use development contains a mix of office, retail, and residential uses. The proposed request for a new sign on the property is to aid drivers traveling west on Flamingo Road. The existing sign is not visible because of the grade difference, and on-site landscaping. The applicant states that the development and the area have experienced a rapid increase in traffic due to the increase of additional retail and other uses in the area.

Prior Land Use Requests

Application Number	Request	Action	Date
UC-0217-10	Massage establishment as a principal use within an existing mixed use development	Approved by PC	July 2010
UC-0109-09	Massage establishment within an existing mixed-use project - expired	Approved By PC	April 2009
ZC-0788-05 (ET-0231-08)	First extension of time to reclassify the property to U-V zoning, which also included a design review for a mixed-use project, and a use permit for increased building height and a modified pedestrian realm	Approved by BCC	October 2008
ZC-0788-05	Reclassified the subject property to U-V zoning, the application also included a design review for a mixed-use project, and a use permit for increased building height and a modified pedestrian realm	Approved by BCC	September 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Residential portion of the mixed use
South, East & West	Commercial General	C-2	Office/commercial uses

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

The design of the proposed signage is consistent and compatible with the approved building heights which range from the base height of 55 feet to 108 feet; therefore, the request complies with Urban Land Use Policy 20 of the Comprehensive Planning which encourages that signage be compatible with building styles on-site and also with surrounding development. Additionally, the subject site is adjacent to 215 Beltway where the grade difference could impact visibility of signs. Staff finds that the proposed sign is similar in design and character as other signs along Flamingo Road and Fort Apache Road. The proposed sign meets Code requirement; therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review

- Sign not to encroach into sight visibility zones.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Flamingo Pointe Partners, LLC
CONTACT: Greg Borgel, 300 S. 4th Street, Suite 1400, Las Vegas, NV 89101

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02/22/17 BCC AGENDA SHEET

MULTIPLE FAMILY RESIDENTIAL
(TITLE 30)

215 BELTWAY/POST RD

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
NZC-0664-13 (ET-0192-16) – WARMINGTON SOLANA APARTMENTS ASSOCIATES, LLC:

ZONE CHANGE FIRST EXTENSION OF TIME to reclassify 9.2 acres from C-2 (General Commercial) Zone to R-4 (Multiple Family Residential - High Density) Zone in the CMA Design, MUD-3 and MUD-2 Overlay Districts.
WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** increased building height; and **2)** reduced setbacks for garage openings to a drive aisle.
DESIGN REVIEW for a multiple family residential development.

Generally located on the east side of the 215 Beltway and the north and south sides of Post Road (alignment) within Spring Valley (description on file). SB/jvm/mcb (For possible action)

RELATED INFORMATION:

APN:
163-32-701-036

WAIVERS OF DEVELOPMENT STANDARDS:
1. Increase building heights to 39 feet where 35 feet is the standard (an 11% increase).
2. Reduce the setback from a multiple family garage opening to a drive aisle to 4 feet where a minimum of 8 feet is required (a 50% reduction).

LAND USE PLAN:
SPRING VALLEY – COMMERCIAL GENERAL & BUSINESS AND DESIGN/RESEARCH PARK

BACKGROUND:
Project Description
General Summary
- Site Acreage: 9.2
- Number of Units: 204
- Density: 21.8 du/ac
- Project Type: Multiple family residential development
- Number of Stories: 1 (clubhouse)/3 (multiple family buildings)
- Building Height: 26 feet (clubhouse)/39 feet (multiple family buildings)
- Open Space Required/Provided: 20,400 square feet/132,935 square feet
- Parking Required/Provided: 415/417

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Site Plans

The original plans depicted a multiple family (apartment) development consisting of 204 units distributed among 17 buildings. There is only 1 building type that contains 12 units. The buildings are oriented in varying directions to one another with some buildings having a north/south orientation and others having an east/west orientation. The plans depict 1 main access point from Post Road with secondary exit only on Sobb Avenue. No access is shown from Brent Thurman Way which is the 215 Beltway frontage road. The plans depict a total of 417 parking spaces distributed throughout the site consisting of the following: 1) 119 garage parking spaces; 2) 85 carport spaces; and 3) 213 non-covered open spaces with 5 of those being shown as parallel parking spaces. The buildings are arranged around parking and driveway courts.

Landscaping

Since this request was a non-conforming use in an area planned for non-residential uses, this site must accommodate all required buffering along the perimeter. The submitted plans depicted a 6 to 10 foot wide intense landscape buffer along the east and north property lines adjacent to planned commercial development. A total of 15 feet of landscaping is depicted along the 215 Beltway frontage road as required by the CMA Design Overlay District. The streetscape along Post Road varies in width from 14 to 20 feet and also consists of a detached sidewalk. Parking lot landscaping complies with Title 30 and is also distributed throughout the site. A total of 132,935 square feet of open space is provided and equitably distributed throughout the development and consists of the following: 1) passive common areas around the building areas; 2) a pool area; 3) BBQ and picnic areas; and 4) indoor amenities with a clubhouse/recreation building.

The landscaping along Sobb Avenue and Seeliger Street ranges between 15 feet and 18 feet in width. Access gates are also depicted providing further security to the development.

Elevations

The approved plans depicted 1 building type. All 17 buildings are 3 story at a maximum height of 39 feet. All buildings, including the clubhouse building, consist of stucco with vertical and horizontal articulation with additional facade relief on select portions of the horizontal planes consisting of siding and trim elements. The elevations also depict substantial window and door enhancements consisting of elements such as composite wood trim, balconies, and stucco pop-outs. The use of varied rooflines, with some portions designed with slopes while others are flat with parapet walls also provide for facade relief. All roofs are depicted with flat concrete tile roofs.

Floor Plans

The plans showed a mix of 1 and 2 bedroom units with 6 different floor plans. The overall mix is proposed to be 68, one bedroom units, and 136, two bedroom units. The 1 bedroom units are approximately 750 square feet while the 2 bedroom units range from 1,100 square feet to 1,230 square feet. All floor plans are depicted as having balconies. The first floor of every building will contain garages.

The clubhouse will feature a business center, club room, kitchen, and game room. The exercise room building will contain exercise equipment.

Signage
Signage and lighting are not a part of this request.

Previous Conditions of Approval
Listed below are conditions of approval for NZC-0664-13:

Current Planning
- A resolution of intent to complete construction in 3 years;
- Per revised site plan;
- Landscape plans and open space per plans;
- Provide 1 pedestrian access gate along Sobb Avenue, Seelinger Street, and Post Road, in addition to any access gates provided at the main entrances, with equitable distance between each to provide for functional use by residents and connections to open space areas along both rights-of-way;
- Design review as a public hearing for significant changes to plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that future land use applications will be required for lighting and signage; and that any change in circumstances or regulations may be justification for the denial of an extension of time.

Public Works – Development Review
- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Address access to adjacent APN 163-32-801-007.

Clark County Water Reclamation District (CCWRD)
- Applicant is advised that zoning changes affect sewer capacities; this requires the submittal of civil improvement plans for full engineering review and evaluation (including estimated wastewater flow rates at project build-out); and that CCWRD has no objection to the zoning change as submitted.

Applicant's Justification
The applicant states that since the original approval they have pulled all permits, posted bond, and started construction. The first unit is scheduled to be complete in March 2017, and the entire project by January 2018.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-0664-13	Zone boundary amendment to R-4 zoning for a multiple family residential development	Approved by BCC	December 2013
UC-0284-09	Increased building height with waivers for parking and landscaping and design review for an office complex and parking garage - expired	Approved by BCC	June 2009
ZC-1490-07	Zone boundary amendment to C-2 zoning for the smaller east parcel with use permit, waivers, and design review for a parking structure	Approved by BCC	February 2008

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Application Number	Request	Action	Date
UC-2096-04	Increased building height with waivers for parking and landscaping and design review for an office complex and parking garage - expired	Approved by BCC	January 2005
ZC-1496-04	Zone boundary amendment to C-2 zoning on the larger parcel with a use permit for increased height and design review for an office complex	Approved by BCC	September 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Business and Design/Research Park	C-2	Office complex
East	Business and Design/Research Park & Commercial General	R-E & U-V	Undeveloped & multiple family & office component of a developing horizontally mixed use development
South	Commercial General	U-V	Multiple family & office component of a developing horizontally mixed use development & 215 Beltway (Brent Thurman Way frontage road)
West	215 Beltway	215 Beltway	215 Beltway (Brent Thurman Way frontage road)

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

Analysis
Current Planning
Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, since the original approval the applicant has pulled all permits, posted bond, and started construction. The first unit is scheduled to be complete in March 2017, and the entire project by January 2018. Therefore, staff can support this application for an extension of time until December 18, 2018 to complete.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Until December 18, 2018 to complete;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified.

Public Works – Development Review

- Compliance with previous conditions.

Building/Fire Prevention

- No comment.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Warmington Residential Nevada, Inc.
CONTACT: Kaempfer Crowell/Jennifer, 1980 Festival Plaza Drive, Suite 650, Las Vegas, NV 89135

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02/22/17 BCC AGENDA SHEET

HOTEL
(TITLE 30)

SUNSET RD/RAFAEL RIVERA WY

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0895-16 – SDSW2, LLC:

USE PERMIT to increase the height of a proposed hotel.
WAIVER OF CONDITIONS to a zone change (ZC-0613-04) requiring full off-site improvements.
WAIVER OF DEVELOPMENT STANDARDS to waive sidewalks adjacent to a street (Rafael Rivera Way).
DESIGN REVIEW for a proposed hotel on a 2.4 acre portion of a 20.4 acre parcel in a C-2 (General Commercial) Zone in the CMA Design and MUD-2 Overlay Districts.

Generally located on the south side of Sunset Road and the east side of Rafael Rivera Way within Spring Valley. SB/al/ml (For possible action)

RELATED INFORMATION:

APN:
176-05-510-001 ptn

USE PERMIT:
Increase the height of a proposed hotel to 60 feet where 50 feet is the standard (a 20% increase).

LAND USE PLAN:
SPRING VALLEY – COMMERCIAL TOURIST

BACKGROUND:
Project Description
General Summary
- Site Address: 6555 S. Riley Street
- Site Acreage: 2.4 acre portion of a 20.4 acre parcel
- Number of Rooms: 156
- Project Type: Hotel
- Number of Stories: 4
- Building Height: 60 feet
- Parking Required/Provided: 166/175

Site Plan
The request is to develop an approximately 2.4 acre portion of a 20.4 acre parcel for a proposed hotel. The proposed hotel is located at the northwest corner of the parcel and has access from Sunset Road and Riley Street by shared access drive aisles with the proposed retail center to the east. Riley Street adjacent to this parcel is a private street which provides access to the IKEA

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store to the east and will provide access to the undeveloped portion of this parcel. The plans do not depict access from Rafael Rivera Way. The building is located in the central portion of the 2.4 acre site with parking located around the building. A pool area and event lawn are located on the southwest corner of the hotel for the guests.

Landscaping

Landscape areas consisting of trees, shrubs, and groundcover are located adjacent to the street, within the parking areas and adjacent to the building. The plans indicate that the landscape areas adjacent to Sunset Road and Rafael Rivera Way are a minimum of 15 feet wide. There is an existing meandering sidewalk within the Sunset Road right-of-way.

Elevations

The plan depicts a 4 story building with a flat roof behind parapet walls. The plans indicate that the majority of the building is approximately 49 feet in height. The additional 11 feet of building height is for an architectural feature at the entrance of the hotel and is not habitable space. The exterior of the building has a stucco finish painted in earth tone colors with aluminum storefront doors and windows, pop-outs and cornices to enhance the architectural appearance of all elevations.

Floor Plans

The first floor of the building consists of the lobby, offices, meeting rooms, a fitness center, a bar, kitchen facilities, storage areas, and guest rooms. The remaining floors consist of guest rooms and storage areas.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed hotel will be an excellent addition to the surrounding neighborhood. The use is compatible with the existing and planned land uses in this area and the architectural design of the building is consistent with the existing buildings in this area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0107-16	A parking lot in conjunction with the IKEA store	Approved by BCC	April 2016
WS-0107-15	Waiver of development standards and waiver of conditions for off-site improvement requirements in conjunction with an approved commercial timeshare development	Approved by BCC	April 2015
TM-0112-14	1 lot commercial subdivision on 20.4 acres	Approved by PC	September 2014
VS-0610-14	Vacation and abandonment request for easements	Approved by PC	September 2014
WS-0482-14	Deviate from the West Village Streetscape Design standards	Approved by BCC	July 2014

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Application Number	Request	Action	Date
DR-0082-14	Commercial timeshare development and signage	Approved by BCC	April 2014
DR-0357-05 (ET-0074-09)	Second extension of time on the original design review for a mixed use development (The Curve) on 18 acres - expired	Approved by BCC	April 2009
NZC-0819-04 (ET-0292-07)	First extension of time on the original U-V zoning for a mixed use development (The Curve) on 18 acres - expired	Approved by BCC	October 2007
DR-0357-05	Design review with a waiver of conditions of a non-conforming zone change for a mixed use development - expired	Approved by BCC	April 2005
UC-1717-04	Increase building height and a design review for a 100,000 square foot medical office building in conjunction with an approved mixed use development - expired	Approved by BCC	November 2004
NZC-0819-04	Non-conforming zone boundary amendment to U-V zoning for a mixed use development on 18 acres with a use permit for increased building height - expired	Approved by BCC	September 2004
ZC-0613-04	Zone boundary amendment to C-2 zoning on 29 acres for a future commercial development - this zone boundary amendment zoned the majority of the site that is part of this request	Approved by BCC	May 2004
DR-1963-03	Commercial center - expired	Approved by PC	February 2004
ZC-1749-00	Zone boundary amendment to C-2 zoning on a portion of the site that is part of this request for a 120 room, 4 story hotel	Approved by BCC	January 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Urban Center (18 to 32 du/ac), Commercial General, & Business and Design/Research Park	R-4, C-2, & U-V	Office component of a developing horizontally mixed use development & undeveloped
East	Commercial Tourist	C-2	IKEA store
South & West	215 Beltway, Major Development Project, & Commercial Tourist	215 Beltway, H-1, R-2, & R-E	215 Beltway (Rafael Rivera Way frontage road) & undeveloped

Related Applications

Application Number	Request
DR-0896-16	A design review for a retail center on the northeast corner of the same parcel is a related item on this agenda.*

* The applicant chose to submit the retail center and hotel as separate applications so that if there were any problems with one project it would not delay the other.

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

The majority of the building is less than 50 feet in height. The portion of the building that is 60 feet in height is an architectural feature that is located at the entrance of the hotel. A use permit was also approved for the IKEA building to the east to allow a maximum building height of 53 feet. The mixed use development to the north was approved with building heights up to 80 feet. Since the increased building height is for an architectural feature and not for habitable space, and since there are other buildings in the area that exceed 50 feet in height, staff can support the use permit.

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

Design Review
The design of the proposed building complies with all Title 30 standards and policies in the Comprehensive Plan. The architectural elements used to enhance the building comply with Urban Land Use Policy 78 of the Comprehensive Plan, which encourages architectural treatments on all building sides to eliminate blank building elevations.

Public Works – Development Review
Waiver of Development Standards & Waiver of Conditions
Staff can support the waiver of development standards and waiver of conditions for sidewalks along Rafael Rivera Way because a sidewalk is not feasible along the Beltway due to the site elevation and existing slope easement.

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Staff Recommendation
Approval.

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

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- Applicant is advised that per the requirements of the CMA Design Overlay District a design review application for a comprehensive sign plan is required for this project; 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; 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

- Execute a restrictive covenant agreement (deed restrictions);
- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate the dedication of any additional right-of-way and off-site improvements along Rafael Rivera Way with Public Works Department – Design Division.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; to show on-site fire lane, turning radius, and turnarounds; to show fire hydrant locations on-site and within 750 feet; and to submit plans for review and approval prior to installing and gates, speed humps (speed bumps not allowed), and any other fire apparatus access roadway obstructions.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: SDSW2, LLC
CONTACT: Lucy Stewart, 1930 Village Center Circle, Suite 3-577, Las Vegas, NV 89134

02/22/17 BCC AGENDA SHEET

CONVENIENCE STORE/GASOLINE STATION
SHOPPING CENTER
(TITLE 30)

POST RD/DURANGO DR

PUBLIC HEARING
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
UC-0920-16 – DURANGO POST, LLC:

USE PERMITS for the following: **1)** reduce separation from residential use to a proposed convenience store; **2)** reduce setback from residential use to a proposed gasoline/fuel canopy; and **3)** reduce setback from a residential use to a proposed vehicle (automobile) wash.
DESIGN REVIEWS for a proposed shopping center including the following: **1)** a proposed in-line retail building; **2)** a proposed convenience store; **3)** a proposed gasoline/fuel canopy; **4)** a proposed vehicle (automobile) wash; and **5)** a proposed smog check station on 4.3 acres in a C-2 (General Commercial) Zone in the CMA Design and MUD-3 Overlay Districts.

Generally located on the west side of Durango Drive and the north side of Post Road within Spring Valley. SB/mk/ml (For possible action)

RELATED INFORMATION:

APN:
163-32-701-028

USE PERMITS:

1. a. Reduce separation from a proposed convenience store to an approved residential use (west) to 78 feet where 200 feet is required (a 61% reduction).
   b. Reduce separation from a proposed convenience store to an existing residential use (south) to 153 feet where 200 feet is required (a 23.5% reduction).
2. a. Reduce setback from a proposed gasoline/fuel canopy to an approved residential use (west) to 198 feet where 200 feet is required (a 1% reduction).
   b. Reduce setback from a proposed gasoline/fuel canopy to an existing residential use (south) to 128 feet where 200 feet is required (a 36% reduction).
3. a. Reduce setback from a proposed vehicle (auto) wash to an approved residential use (west) to 78 feet where 200 feet is required (a 61% reduction).
   b. Reduce setback from a proposed vehicle (auto) wash to an existing residential use (south) to 128 feet where 200 feet is required (a 36% reduction).

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

BACKGROUND:
Project Description
General Summary

- Site Address: 6255 South Durango Drive

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- Site Acreage: 4.3
- Project Type: Shopping center (convenience store, gasoline pump sales, smog check station, and inline retail building)
- Number of Stories: 1
- Building Height: 35 feet (retail building); 27 feet (convenience store/car wash); and 24 feet (gasoline pumps)
- Square Feet: 3,841 (convenience store/car wash); 18,000 (in line retail); 3,500 (2 retail pad sites)
- Parking Required/Provided: 122/165

Site Plans

The plans show a proposed shopping center which will consist of an in-line retail building, a convenience store, gasoline station, a car (automobile) wash, a smog check station and 2 future retail pad sites). The proposed convenience store, an accessory drive-thru vehicle (automobile) wash and smog check station are connected as 1 building and located on the south side of the parcel. The convenience store/car wash is located approximately 62 feet north of Post Road. The plans also show a 78 foot set back from the west property line adjacent to the approved residential development to the proposed convenience store building. Furthermore, the plans show a 91 foot set back between the proposed car wash building and the residential development located on the west side of the subject property. The entrance to the drive-thru car wash is located on the southwest corner of the convenience store. The exit only driveway for the carwash is located on the southeast corner of the convenience store. The fuel canopy is located on the east side of the convenience store, approximately 50 feet from the east property line along Durango Drive. There is a 128 foot set back between the fuel canopy and the multi-family residential development on the south side of Post Road. Additionally, the plans show a 198 foot set back between the town homes on the west side and the proposed fuel canopy.

The proposed in-line retail building is located on the west side of the parcel parallel to the west property line and set back 39 feet from the west property line. The plans also show 2 retail buildings with drive-thru lanes. One of the pad sites is located on northeast corner of the site with a proposed drive-thru lane located on east and north sides of the building while the second pad site is located on the south side of the north driveway entrance of the retail/commercial center. The drive-thru lane for the second pad side is shown on the north and east of the building. There are 4 trash enclosures (2 on the north and 2 on the south) to service the shopping center. The plans also show loading areas west of the convenience store, south and north of the in-line retail building. A total of 165 parking spaces are provided on-site where 122 spaces are required. Access to the site is from 2 driveways along Durango Drive and 1 from Post Road. Since the subject property is located in the CMA Design Overlay District, all driveway entrances have enhanced paving as required by Code.

Landscaping

The plans show a 10 foot wide landscape buffer adjacent to an approved town home development to the west and a developing single family residential development to the north. Parking lot landscaping complies with Title 30 and is equitably distributed throughout the site. Street landscaping along Durango Drive and Post Road consists of 15 foot wide landscape areas that include detached sidewalks.

Elevations

The proposed in line retail building elevations show varying heights ranging from 22 feet to 35 feet for a pitched concrete tile roof and, architectural embellishment. The majority of the building is between 22 and 26 feet high. The building is designed with unified materials consisting of painted smooth stucco exterior walls finished with pop-outs, parapet walls with enhanced cornice treatment, stone veneer, and elements such as steel shade canopies at the main entrances. The convenience store/car wash building is shown as a 1 story, up to 27 foot high, with a flat roof with parapet walls at varying heights. The building is constructed of painted cement plaster, stone veneer, raised pop-outs, cornices, bronze aluminum windows, and aluminum storefront window systems. Additionally, the plans show architectural enhancements such painted steel awning, split face CMU walls painted with different desert tone colors to match the other buildings. The fuel canopy is 24 feet high with a flat roof, constructed of textured metal panels crowned with painted cement plaster finish. The supporting columns will be constructed of stone veneer to match the convenience store building. All proposed building elevations show a substantial amount of building articulations and roof variations.

Floor Plans

The plans depict an 18,000 square foot in-line retail building shell with anticipated suites that will be built-out by end users. The plans also show 2, retail/commercial buildings at 3,500 square feet each; and a 3,841 square foot proposed convenience store and car wash with an attached smog check area. The fuel canopy is shown at approximately 3,200 square feet. The convenience store floor area consists of a sales area, walk in coolers and freezer, an office, a beverage area, slots area, a back room, and restrooms.

Signage

Signage is not a part of this application and will be submitted with a subsequent design review for a comprehensive sign package as required by the CMA Design Overlay District.

Applicant's Justification

The applicant states that the separation and setback request will not negatively impact the residential developments located on the north, west, and south of the site since there is an intense landscaping buffer and Post Road on the south side which minimizes any impacts.

Prior Land Use Requests

Application Number	Request	Action	Date
VS-0612-16	Vacate a 10 foot wide pedestrian access, utility, street light and traffic control device easement running along the east property line together with a 15 foot wide pedestrian access, utility, street light, and traffic control device easement	Approved by PC	October 2016
VS-0521-16	Vacate of a 5 foot wide portion of Durango Drive	Approved by PC	September 2016
DR-0656-15	An in-line retail building and site design for a shopping center	Approved by BCC	November 2015
TM-0024-08	A commercial subdivision – expired	Approved by PC	March 2008

Application Number	Request	Action	Date
DR-0999-08	A comprehensive sign package in conjunction with an approved shopping center – expired	Approved by BCC	December 2008
UC-0881-08	Reduced the setback between a convenience store and non-section line street with a design review for a convenience store – expired	Approved by BCC	October 2008
DR-0305-08	A shopping center – expired	Approved by BCC	May 2008
ZC-0156-08	Reclassified 4.4 acres from R-E to C-2 zoning for a future commercial development	Approved by BCC	March 2008

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Residential Suburban (up to 8 du/ac)	R-2	Developing single family residential project
East	Business and Design/Research Park	R-E	Undeveloped
South	Residential Urban Center (18 to 32 du/ac)	R-4	Developing multiple family residential project
West	Residential Suburban (up to 8 du/ac)	U-V	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 Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrates the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the request to reduce separation and setbacks for a convenience store/car wash building and gasoline pump from a residential use to the west is mitigated by providing an approximate 15 foot wide intense landscape buffer with 24 inch box trees adjacent to the existing 6 foot high CMU wall. Furthermore, the convenience store/car wash building and gasoline station are separated from the existing residential use located on the south side of Post Road by a 15 foot wide landscape buffer on the north side of Post Road, the existing street and an existing CMU wall with landscaping on the south side of Post Road. The adjacent and abutting property to the east is undeveloped and designated in the Spring Valley Land Use as Business and Design Research Park. Staff finds that the proposed convenience store/car wash building and gasoline station are consistent and similar to existing convenience stores/car wash and gasoline stations in different parts of the Valley and will not have any negative impacts on the adjacent neighborhood. Therefore, staff can support this request.

Design Reviews

The subject site is located within the CMA Design Overlay District which requires compliance with addition design and development standards. Staff finds that the proposed site and building design complies with standards established in the CMA and Code sections such as height, buffering, enhanced paving, varying building heights, parking lot design, and building distribution which show buildings adjacent to the street and parking areas distributed throughout the site, and complies in part with Urban Land Use Policy 74 which encourages the siting of a portion of the building area at the street perimeter. Such siting strengthens the streetscape and helps to screen off-street parking areas.

The proposed buildings within the shopping center are arranged in such a way to provide a better circulation and functional relationship of the buildings, pedestrian areas, and vehicular circulations. The design of the buildings are consistent and have similar materials, colors, and architectural style; therefore, complies in part with Urban Land Use Policy 67 of the Comprehensive Plan which encourages appropriate site planning and building design to ensure that commercial developments are compatible with abutting uses. The proposed buildings are constructed with decorative materials and have parapet walls at varying heights to break up the horizontal roof line. The buildings and fuel canopy will be painted with different desert color tones and will have architectural enhancements such as cornice moldings with raised pop-outs, cornices, bronze aluminum windows, aluminum storefront systems, and stone veneer to enhance the visual appearance of the buildings. The request complies with Urban Land Use Policy 78 which encourages architectural treatments on all building sides to eliminate blank elevations along public rights-of-way and areas visible to the general public to improve visual quality. Additionally, staff finds that the same request was previously approved at the subject location which expired. Therefore, staff can support this request.

Staff Recommendation
Approval.

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

PRELIMINARY STAFF CONDITIONS:

Current Planning

- 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; all future phases, site, and building designs must comply with all provisions of the CMA Design Overlay District and may require additional land use applications; 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.

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Public Works – Development Review

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

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that existing sewer is located within 400 feet of the parcel; and that at time of development CCWRD requires submittal of estimated wastewater flow rates to determine sewer point of connection.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Remington Nevada
CONTACT: Remington Nevada, 5920 South Rainbow Boulevard, Suite 11, Las Vegas, NV 89118

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