

**ATTACHMENT A
WHITNEY TOWN ADVISORY BOARD
ZONING AGENDA
THURSDAY, 6:00 P.M., DECEMBER 15, 2016**

01/03/17 PC

1. **DR-0799-16 – TITANIUM METALS CORPORATION:**
DESIGN REVIEW for maintenance and storage buildings in conjunction with an existing manufacturing facility on a 39.2 acre portion of an overall 191.9 acre development in an M-2 (Industrial) Zone. Generally located 2,000 feet north of Lake Mead Parkway and 1,500 feet west of Water Street within the Whitney Planning Area. MBS/gc/mcb (For possible action)

2. **NZC-0807-16 – TURTLE CREEK APARTMENTS, LLC, ET AL:**
ZONE CHANGE to reclassify 24.6 acres from R-3 (Multiple Family Residential) Zone, H-2 (General Highway Frontage) Zone, and R-V-P (Recreational Vehicle Park) Zone to R-4 (Multiple Family Residential - High Density) Zone.
WAIVER OF DEVELOPMENT STANDARDS to increase building height.
DESIGN REVIEW for a proposed 2.4 acre expansion to an existing multiple family residential development in the MUD-3 Overlay District. Generally located between Boulder Highway and Broadbent Boulevard, 2,570 feet south of Russell Road within Whitney (description on file). MBS/dg/ml (For possible action)

3. **WS-0806-16 – WU, WILLIAM CHAO:**
WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) allow a non-decorative fence in the front yard, 2) allow non-decorative fence and alternative landscaping along a local street; and 3) increase fence height on 0.24 acres in an R-T (Manufactured Home Residential) Zone. Generally located on the south side of Berthelot Lane and the west side of Steptoe Street within Whitney. MBS/lm/ml (For possible action)

MAINTENANCE/STORAGE BUILDINGS
(TITLE 30)

LAKE MEAD PKWY/WATER ST

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST
DR-0799-16 – TITANIUM METALS CORPORATION:

DESIGN REVIEW for maintenance and storage buildings in conjunction with an existing manufacturing facility on a 39.2 acre portion of an overall 191.9 acre development in an M-2 (Industrial) Zone.

Generally located 2,000 feet north of Lake Mead Parkway and 1,500 feet west of Water Street within the Whitney Planning Area. MBS/gc/mcb (For possible action)

RELATED INFORMATION:

APN:
178-12-801-002

LAND USE PLAN:
WHITNEY - HEAVY INDUSTRIAL

BACKGROUND:
Project Description
General Summary

- Site Address: 181 N. Water Street
- Site Acreage: 39.2 (maintenance/storage buildings)/191.9 (overall development)
- Project Type: Maintenance/storage buildings
- Number of Stories: 1
- Building Height: up to 39 feet 3 inches
- Square Feet: 3,600 (Building A)/7,200 (Building B)/3,600 (Building C)/9,600 (Building D)
- Parking Required/Provided: 1,231/509 (reduction approved per WS-0201-15)

Site Plans

The plans show 3 proposed maintenance buildings (Buildings A-C) located on the southwest portion of the parcel and 1 proposed storage building (Building D) located on the northeast portion of the parcel. The 39.2 acre parcel is located within the interior of an overall existing 191.9 acre manufacturing facility (Titanium Metals Corporation (TIMET)). A total of 509 parking spaces are provided where 1,231 spaces are required. A waiver to reduce parking to 509 spaces where 1,349 spaces were required was approved by action of WS-0201-15. Even though new buildings are being constructed, the required parking is less, since previously existing buildings were demolished that had greater square footage than the proposed buildings being constructed.

Landscaping

No changes are proposed or required to the existing landscaping.

Elevations

Building A and C are 1 story, 25.5 foot high maintenance buildings; and Building B is a 1 story, 39 foot 3 inch high maintenance building. The 3 maintenance buildings are constructed of decorative metal wall panels, polycarbonate light panels, pitched metal roofing, and overhead roll-up doors. Building D is a 31 foot 1 inch high storage building constructed of fabric material with an overhead roll-up door on the east and west elevations of the building.

Floor Plans

Building A is a 3,600 square foot maintenance building consisting of repair and workshop areas. Building B is a 7,200 square foot maintenance building consisting of repair, workshop, brick mason, and crane areas. Building C is a 3,600 square foot maintenance building consisting of an HVAC, plumbing, and paint shop. Building D is a 9,600 square foot open storage area.

Signage

Signage is not a part of this application.

Applicant's Justification

The applicant states that the maintenance buildings will include rooms used for the maintenance of items used by TIMET. The storage building will be used for the general storage of goods that are not a part of the manufacturing process.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0201-15	Warehouse/storage building and a waiver of development standards to reduce parking	Approved by PC	May 2015
ADR-0744-14	Installation of a structure (crystallizer equipment) in conjunction with existing product ponds and landfill on parcel 178-12-701-002	Approved Administratively	September 2014
ZC-1970-99 (WC-0401-04)	Waiver of conditions of a zone change requiring a 15 foot high, 60 foot wide landscape berm and drainage study compliance	Approved by BCC	February 2005
ZC-1970-99	Reclassified the subject parcel and adjacent parcels as part of TIMET to M-D, M-1, & M-2 zoning	Approved by BCC	February 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, South, & West	Heavy Industrial	M-2	Industrial & manufacturing uses
East	Heavy Industrial	M-2 & M-D	Industrial & manufacturing uses

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Staff finds the proposed request complies with Title 30 requirements and is compatible with the surrounding area. The proposed maintenance and storage buildings are located within the interior of the overall manufacturing facility site TIMET, and therefore, are not visible from the adjacent public rights-of-way. The request complies with Urban Specific Policy 2 of the Comprehensive Plan which states that where infrastructure is available, maximize the use of infill and redevelopment in existing urban/suburban areas. The request also complies with Urban Specific Policy 10 which encourages site designs to be compatible with adjacent land uses. 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

- No comment.

Building/Fire Prevention

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; permits may be required for this facility; this department has no objection to vacating streets/roads and/or easements that are not needed for fire/emergency vehicle access; fire protection may be required for this facility; and to contact Fire Prevention for further information (702) 455-7316.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: Titanium Metals Corporation

CONTACT: George M. Rogers, Architect, 6325 S. Jones Boulevard, Suite 100, Las Vegas, NV 89118

MULTIPLE FAMILY RESIDENTIAL
DEVELOPMENT
(TITLE 30)

BOULDER HWY/RUSSELL RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

NZC-0807-16 – TURTLE CREEK APARTMENTS, LLC, ET AL:

ZONE CHANGE to reclassify 24.6 acres from R-3 (Multiple Family Residential) Zone, H-2 (General Highway Frontage) Zone, and R-V-P (Recreational Vehicle Park) Zone to R-4 (Multiple Family Residential - High Density) Zone.

WAIVER OF DEVELOPMENT STANDARDS to increase building height.

DESIGN REVIEW for a proposed 2.4 acre expansion to an existing multiple family residential development in the MUD-3 Overlay District.

Generally located between Boulder Highway and Broadbent Boulevard, 2,570 feet south of Russell Road within Whitney (description on file). MBS/dg/ml (For possible action)

RELATED INFORMATION:

APN:

161-35-201-003, 004, & 012

WAIVER OF DEVELOPMENT STANDARDS:

Increase the height of the proposed building to 38 feet where 35 feet is the standard (a 9% increase) in an R-4 zone.

LAND USE PLAN:

WHITNEY - RESIDENTIAL URBAN CENTER (18 DU/AC TO 32 DU/AC) & COMMERCIAL GENERAL

BACKGROUND:

Neighborhood Meeting Summary

The applicant conducted a neighborhood meeting in October 2016, as required by the non-conforming zone boundary 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 was 1 neighbor present with no concerns or opposition to the proposed development. The applicant has fulfilled all provisions of Title 30 regarding pre-submittal and submittal of a non-conforming zone boundary amendment.

Project Description

General Summary

- Site Address: 6655 Boulder Highway and N/A
- Site Acreage: 24.6 (total area of zone change including existing and proposed)/2.4 (design review for proposed expansion)

- Number of Lots/Units: 400 (existing)/66 (proposed)
- Density (du/ac): 18.9
- Project Type: Expansion of existing multiple family residential development
- Number of Stories: 3
- Building Height: 35 (existing)/38 feet (proposed)
- Square Feet (dwelling units): 886 to 1,013 (1 bedroom units) to 1,350 (2 bedroom units)
- Open Space Required/Provided (square feet): 46,600/85,400 (overall development including existing and proposed)
- Parking Required/Provided: 855/855 (total)/741 (existing)/114 (proposed with expansion)

Site Plans & Project Scope

The plans depict the expansion of an existing 400 unit multiple family residential development. The 2.4 acre expansion consists of 66 proposed units within 2 buildings for a total of 466 dwelling units. The request is for the entire 24.6 acres consisting of the existing R-3 zoned apartment development and the undeveloped 2.4 acre expansion. The purpose is to have a seamless and unified multiple family development that is integrated in terms of parking, open space, and buffering. The overall combined density between the proposed and existing multiple family development is 18.9 dwelling units per acre. The 2 proposed buildings will have a north/south and east/west orientation and are designed with a traditional multiple family building appearance. One of the buildings is parallel to Boulder Highway while the other building is perpendicular and creates parking courts not visible from Boulder Highway. Internal circulation within the project consists of 24 foot wide drive aisles. Parking will consist of open surface parking for residents and visitors. More specifically, the plans for the new buildings depict 114 surface spaces.

Since the project is an expansion to the existing multiple family residential development to the west, which is also owned and operated by the applicant, the primary access to the new building and site is from the existing main entrance and drive aisle from Boulder Highway. No new access point is proposed from Boulder Highway. Open space areas are equitably distributed throughout the interior of the proposed buildings and throughout the existing multiple family development.

The proposed site complies with all current provisions for required parking and a commensurate number of parking for visitors. All buildings comply with single family adjacency standards as required by Title 30.

Screening, Buffering (Landscaping), and Open Space

The plans depict a 15 foot wide landscape buffer along Boulder Highway. Landscaping is enhanced and distributed throughout the site and complies with Code requirements.

Parking lot landscaping complies with Title 30. A total of 85,400 square feet of open space is provided for the entire multiple family development (existing and proposed) and equitably distributed throughout the development and consists of the following: 1) passive common areas around the building areas; 2) pool and spa and picnic areas; 3) open courtyards; and 4) indoor amenities with a recreation building consisting of meeting rooms and social gathering areas, gym, business center, and game room.

Elevations and Waiver of Development Standards

The plans depict 2 proposed building types. The buildings are 3 story, 38 feet in height and necessitate the waiver of development standards. The increase in height is solely for roof slope and shielding of the mechanical units and not livable space. The buildings have varying widths and lengths.

The proposed buildings 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 also provide for facade relief. All roofs are depicted as concrete tile.

Floor Plans

The plans show a mix of 1 and 2 bedroom units with the following distribution: 1) 30, one bedroom units; and 2) 36, two bedroom units.

Applicant's Justification

The applicant states that a major portion of the site is currently master planned as Residential Urban Center and the requested R-4 zoning district conforms to the master plan. The only portion that is non-conforming to the land use plan is the 2.4 acre expansion that is proposing to add 66 new dwelling units. The R-4 zoning is appropriate because the property is located near road networks that can accommodate higher residential density. The zone change request is appropriate and compatible with the area.

The project is an expansion to the existing multiple family development to the west. The increase in building height is consistent with the existing multiple family development and is appropriate for the following reasons: 1) the property is located along Boulder Highway; and 2) the height is compatible with the overall project and consistent with the surrounding area.

Prior Land Use Requests (Existing Multiple Family portion of the request)

Application Number	Request	Action	Date
DR-1916-03	Multiple family residential development (apartments)	Approved by BCC	March 2003
ZC-169-03	Reclassified to R-3 zoning for a multiple family residential development (apartments)	Approved by BCC	January 2004

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial Tourist & Public Facility	RVP & P-F	Recreational vehicle park & Silver Bowl Park
East	Residential Suburban (up to 8 du/ac) & City of Henderson	R-2 & RS-6	Single family residential developments
South	Residential Urban Center (18 to 32 du/ac) & Commercial General	R-3 & C-2	Single family residential & undeveloped
West	Residential Urban Center (18 to 32 du/ac) & Residential High-Rise Center (greater than 32 du/ac)	R-3 & M-D	Single family residential & Office/warehouse complex

The immediate area is within the MUD-3 and MUD-3 Overlay Districts.

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 Whitney 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 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 non-conforming zone boundary amendment process allows for identification of land use trends or changes in a particular area that may not be consistent with the planned land use designations. Since the adoption of the Whitney land use plan, continued construction of multiple family residential uses in the area, along with planned multiple family uses and the MUD-3 and MUD-2 Overlay Districts, has resulted in this portion of the Boulder Highway corridor being appropriate for this use. The existing 22.3 acre multiple family development conforms to the land use plan while the 2.4 acre expansion (66 units) does not. However, since the request is intended to provide for a seamless and unified multiple family development and includes the entire 24.6 acre site, the entire request is non-conforming. The site is adjacent to Boulder Highway and is either adjacent or contiguous to developing multiple family residential uses and/or commercial uses. Farther north and west along Boulder Highway the land use plan depicts planned multiple family and more intense commercial developments. The immediate area consists of a predominant land use character of existing, approved, or planned single family, multiple family residential uses, recreational vehicle park, and C-2 zoned uses. The location makes this expansion suitable for multiple family uses. No substantial or negative impacts have been associated with the developed multiple family development in the area.

- 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 developments to the south and west are zoned R-3. The existing apartment complex which is part of this request is currently zoned R-3. Other residential developments consist of single family residential uses at varying densities. The development pattern along this portion of the Boulder Highway corridor is consistent with multiple family residential uses. The proposed density for this project, incorporating the existing 400 dwelling units and the proposed 66 units, is 18.9 dwelling units per acre. Therefore, the land use and density for this application is consistent and compatible with the existing and approved nearby land use designations.

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 found adequate services available or have specified the type of improvements that are needed for this development. Additionally, the project has fully integrated, recreational amenities on-site which will enhance any Clark County recreational facilities in the immediate area, primarily the Silver Bowl Park.

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

The proposed development is consistent and compatible with the general Urban Land Use policies of the Comprehensive Plan and compliant with the more specific multiple family residential and commercial policies. Examples include the following: 1) Urban Land Use Policy 57 of the Comprehensive Plan which encourages, in part, 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; and 2) Policy 51 encourages, in part, all multiple family projects provide several amenities such as usable open space, swimming pools, barbeque pits, and community centers.

Summary

Zone Change

The proposed bulk and density is consistent with the adjacent or contiguous land uses. The plans depict a use, design, and geographic location that are compliant with all applicable policies contained within the Comprehensive Plan. The intent of a balanced land use plan is to encourage an orderly development pattern with an appropriate spatial distribution of land uses that complement each other. This request for a multiple family residential development will complement the amount of approved and existing single family, medium density residential, and planned and existing commercial developments in the area.

This request is being processed through the non-conforming amendment process which allows more public review of this site and ensures a predictable consideration of the project with corresponding impacts and a cohesive and uniform land use pattern in the surrounding area. The applicant has satisfied the criteria for compelling justification as required by Title 30.

Waiver of Development Standards

The applicant shall have the burden of proof to establish that the waiver of development standards is 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. The increase in building height is only for a portion of the overall multiple family residential site and only for a few of the proposed building types. The building elevations are substantially enhanced with architectural detailing and treatments that make for an interesting street scene and streetscape. The increase in height is solely for roof slope and shielding of the mechanical units and not livable space. Similar minor increases in height have been approved for other multiple family residential developments within Clark County with no known negative impacts.

Therefore, staff does not anticipate any adverse impacts from the increased height and can support the request.

Design Review

The 2 proposed buildings are oriented in varying directions relative to each other and substantially enhanced in order to minimize the visual dominance of the elevations along all streets. The buildings and overall project scale are sensitive to the existing neighborhood character, with regard to scale, use of materials, and bulk. All building elevations contain substantial amounts of articulation and fenestration. Those elements coupled with varying rooflines create a development pattern that breaks-up the surface planes along all walls and intends to minimize the bulk and massing of the development.

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. Examples of policy compliance include Urban Land Use Policy 51 and 57 of the Comprehensive Plan. Therefore, the site meets the policies set forth in the Whitney Land Use Plan and the Comprehensive Plan for multiple family and commercial developments.

Staff finds the applicant has established that the plans satisfy the following criteria for a design review: 1) the proposed development is compatible with adjacent development; 2) the proposed development is consistent with the applicable land use plan and Title 30; 3) building elevations, design characteristics, and other architectural and aesthetic features are not unsightly or undesirable in appearance; and 4) are harmonious and compatible with development in the area.

Department of Aviation

The property lies just outside the AE-60 (60-65 DNL) noise contour for the McCarran International Airport and is subject to continuing aircraft noise and over-flights. Future demand for air travel and airport operations is expected to increase significantly. Clark County intends to continue to upgrade the McCarran International Airport facilities to meet future air traffic demand.

Staff Recommendation

Approval. This application will be forwarded to the Board of County Commissioners' meeting on February 8, 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 plans;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that any change in circumstances or regulations may be justification for the denial of an extension of time; and that this application must be completed within 3 years of approval date or it will expire.

Public Works – Development Review

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

Department of Aviation

- Applicant is advised that issuing a stand-alone noise disclosure statement to the purchaser or renter of each residential unit in the proposed development; to forward the completed and recorded noise disclosure statements to the Department of Aviation's Noise Office is strongly encouraged; the 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.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that the CCWRD has verified capacity in the public sewer system using your existing Point of Connection (POC Tracking #090448-2016); and to verify lift station capacity at time of civil improvement submittal.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: Continental Realty Advisors, LTD

CONTACT: Kaempfer Crowell, Tony Celeste, 1980 Festival Plaza Drive, Suite 650, Las Vegas, NV 89135

**STREET LANDSCAPING AND SCREENING
(TITLE 30)**

BERTHELOT LN/STEPTOE ST

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-0806-16 – WU, WILLIAM CHAO:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** allow a non-decorative fence in the front yard, **2)** allow non-decorative fence and alternative landscaping along a local street; and **3)** increase fence height on 0.24 acres in an R-T (Manufactured Home Residential) Zone.

Generally located on the south side of Berthelot Lane and the west side of Steptoe Street within Whitney. MBS/lm/ml (For possible action)

RELATED INFORMATION:

APN:

161-27-214-023

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow non-decorative fence (chain link with solid metal gate) in the front yard where a decorative fence along the front yard is permitted.
2.
 - a. Allow a non-decorative fence (chain link with CMU columns and metal gate) along a local street (Steptoe Street) where a decorative fence along a local street (Steptoe Street) Figure 30.64-5 or Figure 30.64-6 is permitted.
 - b. Allow alternative street landscaping in conjunction with a non-decorative fence (chain link with CMU columns and metal gate) where landscaping per Figure 30.64-5 or Figure 30.64-6 along a local street (Steptoe Street) is permitted.
3.
 - a. Increase the height of a non-decorative fence (chain link with solid metal gate) to 6 foot high where a maximum 5 foot high decorative fence in the front yard is permitted (a 20% increase).
 - b. Increase the height of a non-decorative fence (chain link with CMU columns and metal gate) to 6 foot 8 inches high where a 6 foot high decorative fence along a local street (Steptoe Street) Figure 30.64-5 or Figure 30.64-6 is permitted (an 11.2% increase).

LAND USE PLAN:

WHITNEY - RESIDENTIAL SUBURBAN (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 6119 Berthelot Lane
- Site Acreage: 0.24

- Project Type: Chain link fence in front and side yards
- Fence Height: 6 feet

Site Plan

The plan depicts a developed single family residence with the home and driveway facing Berthelot Lane and a permitted detached accessory structure in the southwest corner of the lot. The applicant indicates they will remove the smaller shed shown on the plan closest to the residence that does not meet building separation requirements to the permitted storage shed at the southwest corner of the lot. The applicant has constructed chain link fencing and entry gates along Berthelot Lane and Steptoe Street.

Landscaping

The plan depicts a 5 foot 10 inch wide landscape strip along Berthelot Lane with a sight visibility zone at the corner and a 4 foot wide landscape strip along Steptoe Street. Shrubby is shown in both landscape strips with 4 trees planted in the front and side yard adjacent to Steptoe Street.

Elevations

The chain link fence along both street frontages is 6 feet high, the CMU columns flanking the east pedestrian gate are 6 feet 4 inches high, the east pedestrian gate along Steptoe Street is 6 feet 8 inches high, and the vehicle gate at the driveway entrance along Berthelot Lane is 5 feet 10 inches high.

Applicant's Justification

The applicant purchased the residence in September 2016 with the intent to improve and live in the home. The applicant purchased the home knowing it needed repair and when he went to work on the property, found homeless living in the patio along Steptoe and in the storage shed that had been vandalized. While working on the residence the applicant had tools, ground mounted air conditioner condenser, and construction materials stolen. The applicant constructed the fence and gates for security purposes and then received a Public Response notice about needing a building permit. He obtained a permit (16-49133) for the 5 foot high columns along the east side of home for the entry gate but constructed 6 foot 4 inch high columns with a 6 foot 8 inch entry gate.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0759-93 & WT-0853-93	Re-classified from R-E & R-2 to R-T zoning	Approved by BCC	June 1993
TM-0102-93	41 lot tentative map	Approved by BCC	July 1993
VC-0102-92	Variance first extension of time to commence construction of a mobile home subdivision to reduced lot widths and area	Approved by PC	May 1993

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, West, & South	Residential Suburban	R-T	Developed single family residential

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
East	Business and Design/ Research Park	RUD	Undeveloped

Clark County Public Response Office (CCPRO)

16-12060 is a violation for a 6 foot high chain link fence with block columns, gate, and electrical along the north and east property lines.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Waivers of Development Standards

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

The existing non-decorative fence has been set back from each right-of-way to allow for a landscape strip between the fence and right-of-way. There is existing 4 foot high chain link fencing on the adjoining properties to the west and south. Farther south along Steptoe Street along the same block is a painted wooden fence and farther to the east along Berthelot Lane are a couple of lots with chain link fencing along the front property line. The applicant has set back the fence to provide shrubbery along Steptoe Street and Berthelot Lane as encouraged in Urban Land Use Policy 13 of the Comprehensive Plan where drought-tolerant landscape designs are encouraged for retrofitting older areas as well as between right-of-way and screening. Staff finds the request compatible with the neighborhood, with the condition of painting the entry gate and columns, and the driveway gate to match; and planting drought-tolerant plants within the landscape areas.

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

- Paint the columns and entry gates on Berthelot Lane and Steptoe Street to match;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.

- Applicant is advised that a supplemental building permit (16-49133) may be required to increase the CMU column height to match construction; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

Public Works – Development Review

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: William Wu

CONTACT: William Wu, 1333 W. 223rd Street, Torrance, CA 90501

DRAFT