

08/18/21 BCC AGENDA SHEET

WALL
(TITLE 30)

FORT APACHE RD/MARTIN AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-21-400100 (NZC-20-0057)-FORT APACHE PROFESSIONAL PARK, LLC:

WAIVER OF CONDITIONS of a zone change for an 8 foot high wall adjacent to residential to the east in conjunction with a previously approved office complex on 4.5 acres in a C-P (Office and Professional) Zone.

Generally located on the east side of Fort Apache Road and the south side of Martin Avenue within Spring Valley. JJ/jt/jo (For possible action)

RELATED INFORMATION:

APN:

176-05-227-001

LAND USE PLAN:

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

BACKGROUND:

Project Description

General Summary

- Site Address: 6710 S. Fort Apache Road
- Site Acreage: 4.5
- Project Type: Office complex
- Number of Stories: 1
- Building Height (feet): 24
- Square Feet: 51,126
- Parking Required/Provided: 205/231

Request

This application is a request to waive a condition of approval for an office complex to construct an 8 foot high wall adjacent to a residential development to the east.

Site Plan

The previously approved site plan depicted an office complex consisting of 5 buildings located in the center of the site. Parking spaces and drive aisles circle around the perimeter of the site. A driveway is located on the southernmost portion of the site from Fort Apache Road, and a second driveway is located on the easternmost portion of the site on Martin Avenue. Enhanced paving

is provided for all pedestrian walkways that cross a vehicular path, and bicycle parking racks are provided per Title 30 standards. Trash enclosures are located on the north and south sides of the site, and a loading space is in the southeast portion of the site.

Landscaping

Landscaping complied with Title 30 standards, and the previously approved landscaping included a 10 foot wide intense landscape buffer along the east property line (adjacent to an existing residential subdivision).

Previous Conditions of Approval

Listed below are the approved conditions for NZC-20-0057:

Current Planning

- Resolution of Intent to complete in 4 years;
- 8 foot high wall adjacent to residential to the east;
- Loading zone minimum of 100 feet from residential;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the 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 Section 30.32.040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Coordinate with Public Works - Design Division for right-of-way and easement dedications necessary for the Fort Apache Road project;
- Right-of-way dedication to include 45 feet to the back of curb for Fort Apache Road, 30 feet for Martin Avenue, and associated spandrel.
- 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; and that the commercial driveway on Martin Avenue must be a minimum of 32 feet from lip of gutter to lip of gutter; and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

Clark County Water Reclamation District (CCWRD)

- Applicant is advised that a Point of Connection (POC) request has been completed for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0650-2019 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

An existing 6 foot wall is located along the east property line, adjacent to the residential subdivision. Building a new 8 foot wall would not improve the backyards of the residences to the east, and this wall would be a considerable expense for the developer. Instead, additional money will be spent on installing large 24 inch box buffer trees spaced 10 feet on center within the 10 foot wide landscape buffer adjacent to the existing 6 foot high wall. Also, the office complex is single story, and the closest buildings are 83 feet west of the east property line. The tenants of the new office park will not be able to see into the backyards of the residents, and the residents will enjoy the additional landscaping beyond their property line wall.

Prior Land Use Requests

Application Number	Request	Action	Date
NZC-20-0057	Reclassified the site to C-P zoning for an office complex	Approved by BCC	May 2020
TM-20-500017	1 lot commercial subdivision	Approved by BCC	May 2020
VS-20-0060	Vacated and abandoned an easement	Approved by BCC	May 2020

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Commercial General	C-2	Mini-storage facility
South	Residential Suburban (up to 8 du/ac) & Commercial General	C-2	Shopping center, convenience store, & gasoline station
East	Major Development Project (Rhodes Ranch)	R-2	Single family residential
West	Office Professional	R-2	Single family residential

The subject site and surrounding parcels are in the Public Facilities Needs Assessment (PFNA) area.

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

An 8 foot wall with an intense landscape buffer along the east property line was deemed appropriate to buffer the proposed office complex from the existing residences to the east. Circumstances have not changed since this condition was approved, and the proposal to change

the tree type to add more variety will not create the same buffer between the uses as an 8 foot high wall. As a result, the original condition of approval is still appropriate, which includes an intense landscape buffer with an 8 foot high wall; therefore, staff cannot support the request.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

If approved:

- No comment.

Clark County Water Reclamation District (CCWRD)

- No objection.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTEST:

APPLICANT: JOHN D. BURKE

CONTACT: FORT APACHE PROFESSIONAL PARK, LLC, 1742 W. HORIZON RIDGE PARKWAY, SUITE 100, HENDERSON, NV 89012