

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0227-ERICKSON ELIZABETH & WILLIAM W REVOCABLE TRUST & ERICKSON WILLIAM W & ELIZABETH TRS:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards; **2)** allow an attached sidewalk; and **3)** alternative driveway geometrics.

DESIGN REVIEW for a proposed personal services facility (fitness center) on 1.25 acres in a CG (Commercial General) Zone.

Generally located north of Martin Avenue and east of Fort Apache Road within Spring Valley.
JJ/lm/kh (For possible action)

RELATED INFORMATION:

APN:

176-05-101-012

WAIVERS OF DEVELOPMENT STANDARDS:

1. Allow a roll-up overhead door to face a residential district where not permissible per Section 30.04.06N.
2. Allow an attached sidewalk where a detached sidewalk is required along Martin Avenue per Section 30.04.08C.
3. Reduce the width of the driveway along Martin Avenue to 32 feet where a minimum width of 35 feet is required per Uniform Standard Drawing 222.1 (a 9% reduction).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 1.25
- Project Type: Personal services (fitness center)
- Number of Stories: 2
- Building Height (feet): 28
- Square Feet: 9,738
- Parking Required/Provided: 29/ 29
- Sustainability Required/Provided: 7/7

Site Plan

The plan depicts a proposed personal services building (fitness center) with access from Martin Avenue to the south. The building is located in the southwest corner of the site, set back 10 feet from the west property line. The parking area is on the east side of the building, with a pedestrian walkway connecting the parking area to the building entrance. A trash enclosure is located on the north side of the building along with a trash bin corral on the west side of the building. The rear quarter of the site is shown as a gravel area for future development.

Landscaping

The plan depicts a proposed attached sidewalk along Martin Avenue with street landscaping consisting of trees, shrubs, and groundcover. There are 16, five foot wide landscape buffers located along the north, south, and east property lines, which consist of 2 rows of evergreen trees planted 20 feet apart in each row and 8 foot high decorative screen walls. Parking lot landscaping is provided per code, and there is an additional row of trees located on the north side of the building.

Elevations

The plan depicts a 2 story building that is 29 feet in height. The building entrances are shaded with canopies or recessed entrances on the north and south sides of the building. All windows feature low-emissivity glass. Exterior building materials consist of decorative metal wall systems finished in slate grey and charcoal colored board and batten panels, and a horizontal wood-look finish. The decorative pitched roof has a similar design to the walls, but the colors and materials vary. All storefront windows and doors have burnished bronze colored finishes. There are overhead roll-up doors on the north and south elevations.

Floor Plans

The building will be 9,738 square feet total, which includes a 6,978 square foot open area on the first level, along with offices, restrooms, storage room, personal training room, and recovery room. The second level features a 1,626 square foot mezzanine on the south end of the building.

Applicant's Justification

The applicant indicates that the proposed use is for private personal services (health club/fitness gym). The proposed building has been intentionally positioned away from the residential property lines to the south, east, and north, and an enhanced landscape buffer has been provided along those boundaries. The site design has included a traditional trash enclosure to demonstrate compliance with the required separation from the nearby residential uses; however, the business owner intends to minimize solid waste generation and utilize trash totes instead of a dumpster. Email correspondence with Republic Services confirms that toter collection service can be provided for this facility. The building design includes maximizing cross ventilation and energy efficiency and incorporated overhead doors on the north and south elevations, which may be open during business hours. In addition to the use of the overhead doors for energy efficiency, the north and south elevation fenestrations have been designed to match the pattern of the overhead door to effectively camouflage the opening. The applicant indicates that the anticipated hours of operation will be 6:00 a.m. to 8:00 p.m. Monday through Friday, and 8:00 a.m. to 8:00 p.m. on Saturday and Sunday. The applicant further notes that the reduced driveway width has been designed to maintain full parking stall depth while preserving adequate throat depth at the

parking area entrances. Lastly, the applicant indicates that the proposed attached sidewalk is designed to match the existing attached sidewalk on either side of the parcel.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-18-400105 (UC-0187-16)	First extension of time for use permits, a waiver, and a design review for a private school and day care - expired	Approved by PC	June 2018
UC-0187-16	Use permits, a waiver, and a design review for a private school and day care - expired	Approved by PC	May 2016

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North, South, & East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2 (Rhodes Ranch)	Single-family residential
West	Neighborhood Commercial	CP	Office buildings

The subject site is within the Public Facilities Needs Assessment (PFNA) area.

Related Applications

Application Number	Request
ZC-26-0225	A zone change from RS20 to CG is a companion item on this agenda.
VS-26-0226	A vacation and abandonment of patent easements is a companion item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

The applicant indicates that the design of the roll-up overhead door on the north side of the building is designed to be architecturally compatible with the windows and pedestrian entry on the north side of the building. The building and the overhead door is located over 140 feet from

the north property line. The landscape buffer and an additional row of trees located to the north of the building will help mitigate the visual impact of the roll-up overhead door. However, since staff cannot support the other waivers of development standards, staff cannot support this request.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Staff finds that the proposed personal services use will not adversely affect the surrounding area. As an additional measure to further reduce potential impacts on adjacent residential properties, the applicant may consider installing a wrought-iron fence and access gate along the north curb area to limit pedestrian and vehicle access to the northern portion of the site. The proposed fitness center is intended to serve a relatively small number of clients at any given time; however, the underlying zoning of the parcel allows for uses of greater intensity. While the application aligns with Policy 5.5.3 of the Master Plan, which encourages the retention and revitalization of established local business districts and the expansion of small businesses, the overall site design presents concerns. Although the applicant has incorporated an enhanced landscape buffer, staff is unable to support other key aspects of the proposed development. For these reasons, staff cannot support the design review.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support the request to install an attached sidewalk in place of a detached sidewalk on Martin Avenue. The site has no existing off-site improvements, therefore there is no reason a detached sidewalk cannot be installed. Additionally, detached sidewalks along streets provide a safer pathway for pedestrians by increasing the distance from traffic.

Waiver of Development Standards #3

Staff cannot support the request to the reduction in driveway width for the commercial driveway on Martin Avenue. Fitness clubs generate a high volume of traffic, and the reduction decreases the safety of vehicles entering and exiting the site. There is no reason why the applicant cannot meet the minimum requirement as the site is a raw parcel.

Staff Recommendation

Denial.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Provide a wrought iron fence and access gate along the north curb area to reduce vehicle access to the northern portion of the site;
- Enter into a standard development agreement prior to any permits 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 approval of a Certificate of Compliance.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; 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; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Full off-site improvements;
- Right-of-way dedication to include 30 feet and a portion of a cul-de-sac for Martin Avenue.

Fire Prevention Bureau

- Provide a Fire Apparatus Access Road in accordance with Section 503 of the International Fire Code and Clark County Code Title 13, 13.04.090 Fire Service Features.
- Applicant is advised that fire/emergency access must comply with the Fire Code as amended; and to show on-site fire lane, turning radius, and turnarounds.

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 #0539-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - approval.

APPROVALS:

PROTESTS:

APPLICANT: RUGGED CROSSFIT 702

CONTACT: RUGGED CROSSFIT 702, 6040 S. FORT APACHE ROAD, SUITE 101, LAS VEGAS, NV 89148