

06/21/23 BCC AGENDA SHEET

PERSONAL SERVICES (BEAUTY SALON)  
(TITLE 30)

RUSSELL RD/HORSESHOE DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-23-0209-BESEAU, CONCHITA:**

**USE PERMIT** for personal services (beauty salon).

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce trash enclosure setback; **2)** reduce parking; **3)** alternative street landscaping; **4)** alternative landscaping adjacent to a residential use; **5)** allow access to a local street; **6)** allow modified street standards; and **7)** allow modified driveway design standards.

**DESIGN REVIEWS** for the following: **1)** alternative parking lot landscaping; and **2)** beauty salon on 0.5 acres in a C-P (Office and Professional) (AE-60) Zone in the Russell Road Transition Corridor Overlay District.

Generally located on the north side of Russell Road and the west side of Horseshoe Drive within Paradise. JG/md/syp (For possible action)

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RELATED INFORMATION:

**APN:**

162-25-411-014

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the setback for a trash enclosure to 5 feet where a minimum setback of 50 feet is required from a residential development per Section 30.56.120 (a 90% reduction).
- b. Reduce the interior side setback to 5 feet where a minimum setback of 15 feet is required per Table 30.40-4 and Section 30.56.120 (a 66.7% reduction).
2. Reduce parking spaces to 10 spaces where 11 spaces are required per Table 30.60-1 (a 9.1% reduction).
3. Allow alternative street landscaping along Russell Road and Horseshoe Drive where landscaping is required per Table 30.64-2.
4. Allow alternative landscaping along the north and west property lines where an intense landscape buffer is required when adjacent to residential uses per Section 30.48.470 and Figure 30.64-12.
5. Allow access to a local street (Horseshoe Drive) where access to a local street is not permitted per Table 30.56-2.
6. Reduce the approach distance to the intersection of Russell Road and Horseshoe Drive to 38 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 74.7% reduction).

7. a. Reduce throat depth to 13 feet where a minimum of 25 feet is required per Uniform Standard Drawing 222.1 (a 40% reduction).
- b. Permit a non-standard driveway along Horseshoe Drive where a commercial curb return driveway is required per Uniform Standard Drawing 222.1.

## **LAND USE PLAN:**

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 2700 Horseshoe Drive
- Site Acreage: 0.5
- Project Type: Personal services (beauty salon)
- Number of Stories: 1
- Building Height (feet): Up to 16.5
- Square Feet: 2,674
- Parking Required/Provided: 11/10

#### History & Request

The C-P zoning for the subject property was approved via ZC-1576-98 by the Board of County Commissioners in October 1998 to convert an existing single family residence into an office building. However, building permits were never submitted to convert the residence to an office building. The applicant is now proposing to convert the existing single family residence to a beauty salon consisting of 6 salon suites, necessitating a use permit. A condition of ZC-1576-98 requires no access to Horseshoe Drive. WC-23-400052 (ZC-1576-98) is a companion item to this development proposal with a request to waive the previously imposed condition prohibiting access to Horseshoe Drive.

#### Site Plans

The plans depict an existing 1 story single family residence located on a project site consisting of 0.5 acres at the northwest corner of Russell Road and Horseshoe Drive. The residence will be converted into a beauty salon and features the following existing setbacks: 1) 9 feet from the north property line requiring a waiver to reduce the setback; 2) 68 feet from the east property line adjacent to Horseshoe Drive; 3) 30 feet from the south property line; and 4) 43 feet from the west property line. A trash enclosure is located immediately to the northeast of the existing building, and is set back 5 feet from the north property line, requiring a waiver to reduce the setback from the property line and adjacent single family residence. The proposed development requires 11 parking spaces where 10 parking spaces are provided, necessitating a waiver to reduce parking. The parking spaces are located along the northeast, east, and southeast perimeter of the project site. Access to the site is granted via an existing driveway adjacent to Horseshoe Drive, requiring waiver for access to a local street, a non-standard driveway, reduced throat depth and to reduce the approach distance to the intersection of Horseshoe Drive and Russell Road. The existing driveway adjacent to Russell Road will be closed with a raised curb and landscape area.

### Landscaping

The plans depict an existing landscape area along Russell Road measuring between 2.5 feet to 7 feet in width, behind a 5 foot wide attached sidewalk, consisting of trees, shrubs, and groundcover. A street landscape area measuring 7 feet in width is located between the existing sidewalk along Russell Road the existing 6 foot high CMU block wall at the southwest corner of the site. An existing landscape area measuring between 4 feet to 21 feet in width, behind a proposed 5 foot wide attached sidewalk, is located adjacent to Horseshoe Drive that also includes trees, shrubs, and groundcover. Several trees will be planted at the northeast corner of the site, including 1 tree adjacent to the trash enclosure. Existing trees and shrubs are located along the northwest property line, adjacent to an existing single family residence. A landscape planter area for shrubs is located along the southeast portion of the building. In lieu of providing the required amount of landscape finger islands within the interior of the parking lot, the required trees have been distributed throughout the interior and perimeter of the site. The development requires 13 trees within the interior and perimeter of the site where 15 trees are provided. The applicant indicates the use of the dustpan driveway necessitates a waiver to reduce the driveway throat depth.

### Elevations

The plans depict an existing single story building measuring between 15 feet to 16.5 feet in height with a pitched, concrete tile roof. An existing porte-cochere measuring 9 feet in height is attached to the east portion of the building. The exterior of the building consists of stucco and is painted with neutral, earth tone colors. All rooftop mounted equipment will be screened from public view and the right-of-way with metal panels painted to match the exterior of the building.

### Floor Plans

The plans depict an existing building measuring 2,674 square feet consisting of 6 salon suites, restroom facilities, shampoo room, lobby, kitchen/breakroom, and a storage and office area.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant is requesting a use permit to establish a 6 suite beauty salon offering the following services: 1) hair services; 2) nail services; 3) cosmetology; and 4) esthetician. The salon will operate from 8:00 a.m. to 8:00 p.m., 7 days a week with 6 employees. The applicant states that due to the size of the lot, the site does not support 11 parking spaces; therefore, 10 parking spaces are provided. It was determined that the current location of the trash enclosure allows for the safest flow of traffic in and out of the parking lot and allows for accessible parking to be located next to the building and is the preferred location Republic Services pick-up. The corner location of the trash enclosure allows it to be hidden from public view. A large tree is being placed behind the trash enclosure to act as a screen for the neighboring property. The applicant indicates the interior side yard setback reduction is required since the building is existing. The applicant states the alternative street landscaping is necessary adjacent to Russell Road and Horseshoe Drive as the Code required landscaping would reduce on-site parking spaces. The intense landscape buffer is not provided due to the setback of the existing building and proposed trash enclosure. The driveway along Horseshoe Drive is located as far back from the intersection

of Russell Road and Horseshoe Drive as possible, but due to the site restriction, the minimum approach distance to the intersection of 150 feet cannot be met. The amount of trees distributed throughout the interior and perimeter of the site exceeds the Code required landscaping.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1576-98	Reclassified the subject property to C-P zoning for a future office building	Approved by BCC	October 1998

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E & CRT	Office complex & single family residential
East	Neighborhood Commercial	C-P	Place of worship
West	Neighborhood Commercial	R-E	Single family residential

#### **Related Applications**

<b>Application Number</b>	<b>Request</b>
WC-23-400052 (ZC-1576-98)	A waiver of conditions requiring no access to Horseshoe Drive 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**

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

Staff's primary concerns with these types of uses are to ensure compatibility with existing and planned surrounding uses and that there is adequate on-site parking. Staff does not anticipate that the proposed use will have any adverse or negative impacts on the adjacent residential or commercial properties. Staff finds that the use is consistent and compatible with the existing development in the surrounding area and within the Russell Road Transition Corridor Overlay District. Therefore, staff recommends approval.

### Waivers of Development Standards

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

#### Waiver of Development Standards #1

Staff typically does not support requests to reduce the setback for trash enclosures from residential developments and property lines. Although the setback reductions for the trash enclosure are significant, the enclosure is set back a minimum of 26 feet from the single family residence to the north. The location of the required trash enclosure will have minimal visibility from the street, not conflict with the driveway throat depth from Horseshoe Drive, and not impact the on-site vehicular circulation. Therefore, staff recommends approval with a condition that trash collection only occur between the hours of 9:00 a.m. and 6:00 p.m.

#### Waiver of Development Standards #2

The reduction to the required number of parking spaces for the proposed beauty salon is negligible and should have minimal to no impact on the surrounding land uses and properties. Therefore, staff recommends approval of this request.

#### Waiver of Development Standards #3

The applicant is proposing a landscape area along Russell Road measuring between 2.5 feet to 7 feet in width consisting of trees, shrubs, and groundcover. A landscape area measuring between 4 feet to 21 feet in width is provided along Horseshoe Drive that also includes trees, shrubs, and groundcover. Due to the pre-existing conditions of the project site, and the configuration of the parking lot serving the property, staff finds the proposed alternative street landscaping is acceptable. The proposed street landscaping is consistent and compatible with the existing landscaping in the surrounding area; therefore, staff recommends approval.

#### Waiver of Development Standards #4

The C-P zoned property (place of worship) immediately to the east of the project site, across Horseshoe Drive, is adjacent to existing single family residences and does not have an intense landscape buffer. There are also several C-P zoned properties to the west of the project site that also do not have intense landscape buffers. Aerial photographs reveal existing landscaping located at the northwest corner of the project site, adjacent to single family residences. Staff finds the existing landscaping and 6 foot high block wall, located along the north and west property lines, should assist in mitigating any impact the residential to commercial building conversion will have on the adjacent residential uses. Therefore, staff recommends approval.

#### Waiver of Development Standards #5

The intent of not allowing non-residential development to access a local street is to ensure commercial traffic does not adversely or negatively impact the surrounding land uses and properties. Staff finds the request to permit access to a local street, Horseshoe Drive, should have minimal impact on the surrounding properties and land uses. The applicant is also

proposing to close the existing driveway access to Russell Road, thereby eliminating a commercial driveway along an arterial street. Furthermore, the existing place of worship, immediately to the east of the project site, has a single point of access to Horseshoe Drive. Therefore, staff recommends approval of this request.

#### Design Review #1

Staff finds the proposed alternative parking lot landscaping, including the distribution of the trees within the interior and perimeter of the site, complies with the Master Plan by encouraging screened parking with landscaping. The commercial development requires a total of 9 perimeter (street) trees and 4 trees within the interior of the parking lot. A total of 15 trees, including the required trees along the street, are distributed throughout the site. The proposed landscaping will reduce the “heat island” effect and improve the aesthetics of the project site and surrounding area. Staff finds that the request to permit alternative parking lot landscaping through the site is reasonable. Therefore, staff recommends approval.

#### Design Review #2

The intent of the Russell Road Transition Corridor Overlay District is to preserve existing single family residential buildings for non-residential reuse where traffic patterns and the characteristics of existing structures no longer encourage a single family environment. Furthermore, Policy WP-3.1 of the Master Plan encourages adaptive reuse of vacant or functionally obsolete homes for non-residential uses along major corridors to provide a smooth transition between viable residential uses and major streets while maintaining a residential character and retaining the historic pattern of development. No modifications or additions are proposed to the existing commercial building, with the exception of screening the rooftop mounted equipment. The exterior structure of the building will be preserved, maintaining a residential appearance in accordance with the intent of the Master Plan and Overlay District. The design of the parking lot is functional and allows for proper vehicular circulation throughout the site. However, since Public Works is not supporting the waivers of development standards for modified street and driveway design standards, staff cannot support this request.

### **Public Works - Development Review**

#### Waiver of Development Standards #6

Staff cannot support the reduction of the driveway approach distance along Horseshoe Drive. Staff has concerns with the traffic from Russell Road as well as the residential traffic to the north being in conflict with movements from the commercial driveway on Horseshoe Drive.

#### Waiver of Development Standards #7

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. As such, pan driveways are not an acceptable standard for any driveways other than emergency access driveways only. When combined with the reduction in throat depth, there will be an increase in the potential for collisions.

### **Staff Recommendation**

Approval of the use permit, waivers of development standards #1 through #5, and design review #1; denial of waivers of development standards #6 and #7, and design review #2.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Comprehensive Planning**

If approved:

- Trash collection only between the hours of 9:00 a.m. and 6:00 p.m;
- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- Applicant is advised that the installation and use of cooling systems that consumptively use water will be prohibited; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; and that this application must commence within 2 years of approval date or it will expire.

### **Public Works - Development Review**

- "No Parking" signs to be installed in close proximity to the site on Russell Road, as determined by Public Works Development Review;
- Reconstruct any unused driveways with full off-site improvements.
- Applicant is advised that signs, structures, and landscaping shall not encroach into public right-of-way, easements, or sight-visibility zones.

### **Fire Prevention Bureau**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Paradise - approval (1 year review as a public hearing).

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CONCHITA BESEAU

**CONTACT:** CONCHITA BESEAU, 4077 MONTHILL AVENUE, LAS VEGAS, NV 89121