

10/19/21 PC AGENDA SHEET

LANDSCAPING  
(TITLE 30)

KELL LN/BETTY LN

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-21-0457-BUILDING HOPE BETTY LANE, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** for landscaping and screening in conjunction with a proposed wall for a charter school on 3.0 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the south side of Kell Lane and the east side of Betty Lane within Sunrise Manor. WM/rk/jo (For possible action)

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RELATED INFORMATION:

**APN:**  
140-21-403-001

**WAIVER OF DEVELOPMENT STANDARDS:**  
Allow alternative landscaping and buffering along the south property line adjacent to a less intensive use (single family residential) where landscaping per Figure 30.64-11 is required.

**LAND USE PLAN:**  
SUNRISE MANOR - INSTITUTIONAL

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: 1780 Betty Lane
- Site Acreage: 3
- Project Type: Landscaping and screening

Site Plans and Landscape Buffer

The previously approved plans depicted the conversion of an existing place of worship to a 42,871 square foot Nevada Prep Charter School (grades 3 through 8). The applicant is requesting to allow alternative landscaping along the south property line adjacent to a less intensive use (single family residential). The previous application (UC-20-0355) conditioned this wall to be 8 foot high; however, due to the structural integrity of the planter, the applicant is requesting to have smaller growing trees (non-evergreen), 35 feet on-center where trees are required to be spaced 20 feet on-center per Figure 30.64-11.

### Applicant's Justification

The applicant indicates the additional length of tree spacing and the type of trees will still create the visual buffer between their site and the adjacent residential property. The geotechnical report for this site requires that no irrigation be permitted within 10 feet of any structure or wall due to the nature of the expansive soils on this site. To accomplish the required landscape buffer, they propose to install 42 inch sealed square planters along the landscape buffer to accommodate the trees. These planters will not sustain a large evergreen tree's root structure and are proposing the smaller trees instead.

### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-20-0355	School with waivers for off-site improvements	Approved by BCC	November 2020
VC-209-85	Reduced parking to 50 parking spaces in conjunction with an existing place of worship	Approved by PC	May 1985
VC-535-83	Waived off-site improvements on Betty Lane and Sherwin Lane	Approved by BCC	February 1984
UC-321-83	Sanctuary building addition to the existing place of worship	Approved by BCC	February 1984
VC-008-68	Allowed a freestanding sign in conjunction with an existing place of worship (Sunrise Baptist)	Approved by BCC	February 1968

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Institutional & Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential & place of worship
South	Residential Suburban (up to 2 du/ac)	R-E	Single family residential
East	Residential Suburban (up to 3 du/ac)	R-D	Single family residential
West	Rural Neighborhood Preservation (up to 2 du/ac)	R-E	Single family residential

### **STANDARDS FOR APPROVAL:**

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

### **Analysis**

#### **Current Planning**

##### 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 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.

Staff finds that planting trees at 35 foot intervals meets the intent of Title 30 and will provide similar screening at full canopy maturity as the 20 foot spacing as outlined in Figure 30.64-11. Additionally, the 8 foot wall provides additional height and will help create the visual buffer between these 2 uses.

**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 Master 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 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 comment.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** ETHOS | THREE ARCHITECTURE

**CONTACT:** ETHOS | THREE ARCHITECTURE, 8985 SOUTH EASTERN AVE, SUITE 220, LAS VEGAS, NV 89123