

07/16/25 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WC-25-40060 (ZC-23-0309)-SOUTH NELLIS PSH, LLC:

WAIVER OF CONDITIONS of a zone change requiring an 8 foot tall wrought iron fence on the east boundary in conjunction with a multi-family residential development on 1.53 acres in an RM32 (Residential Multi-Family 32) Zone.

Generally located east of Nellis Boulevard and south of Charleston Boulevard within Sunrise Manor. TS/rr/cv (For possible action)

RELATED INFORMATION:

APN:

161-04-103-003

LAND USE PLAN:

SUNRISE MANOR - URBAN NEIGHBORHOOD (GREATER THAN 18 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 1400 S. Nellis Boulevard
- Site Acreage: 1.53
- Project Type: Multi-family residential
- Number of Units: 50
- Density (du/ac): 33
- Number of Stories: 3

History & Request

The approved development on the subject site is a 50-unit multi-family residential development within one3-story residential building. Numerous building permits have been issued for this project. The project was approved under ZC-23-0309 with a use permit for supportive housing and is certified as affordable housing by the Community Housing Office. The application also included waivers of development standards to increase the building height, reduce parking, and reduce the back of curb radii for the single commercial driveway accessing the site. Among the conditions of approval is a requirement to install an 8-foot-tall wrought iron fence along the east property boundary. The applicant is requesting to waive this condition and proposes installing a 6-foot decorative CMU wall instead. No other conditions are proposed to be waived or changed.

Previous Conditions of Approval

Listed below are the approved conditions for ZC-23-0309:

Comprehensive Planning

- No Resolution of Intent and staff to prepare an ordinance to adopt the zoning;
- Install an 8 foot decorative block wall or 6 foot tall decorative block wall with 2 feet of wrought iron at top for 8 feet in height along the north boundary;
- Install an 8 foot tall wrought iron fence on the south and east boundaries;
- Incorporate Pyracantha or other defensive bushes within the landscape area;
- Install parking lot lighting with a minimum pole height of 15 feet;
- Employee on-site 24 hours, 7 days a week;
- Work with the Las Vegas Metropolitan Police Department for the installation of external security cameras and surveillance operation;
- 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 the use permit, waivers of development standards, and design reviews must commence within 2 years of approval date or they will expire.

Public Works – Development Review

- Drainage study and compliance;
- Traffic study and compliance;
- Coordinate with Public Works - Roads Division for access to the channel.
- Applicant is advised that off-site improvement permits may be required; and that Nevada Department of Transportation (NDOT) permits may be required.

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 to show on-site fire lane, turning radius, and turnarounds; and that fire/emergency access must comply with the Fire Code as amended.

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 #0031-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis

Applicant's Justification

The applicant requests to waive the condition to install an 8 foot tall wrought iron fence along the east boundary of the site. There is an existing 6 foot high CMU wall in this location that has holes and graffiti that is painted over with brown paint. The installation of a wrought iron fence in this location would not conceal this dilapidated wall. The applicant states that a new 6 foot high decorative CMU wall would conceal the existing wall and would be more aesthetically pleasing.

Prior Land Use Requests

Application Number	Request	Action	Date
PA-23-700017	Plan amendment redesignating the land use category from Corridor Mixed Use (CM) to Urban Neighborhood (UN)	Approved by BCC	September 2023
ZC-23-0390	Reclassified 1.53 acres from R-1 to R-4 zoning for supportive housing	Approved by BCC	September 2023
UC-0739-99	Off-premises advertising sign - expired	Approved by PC	July 1999
ZC-247-88	Reclassified the site from R-1 to C-2 zoning for a retail building - expired	Approved by BCC	September 1988

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG	Shopping center
South	Public Use	PF	Drainage channel & golf course
East	Urban Neighborhood (greater than 18 du/ac)	RM32	Multi-family residential
West	Compact Neighborhood (up to 18 du/ac) & Public Use	RM18	Multi-family residential & drainage channel

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

A waiver of conditions may be approved upon a finding that the condition will no longer fulfill its intended purpose.

Staff finds that the proposed request to remove the condition for an 8 foot tall wrought iron fence along the east property boundary to be appropriate for the area. The intent to construct a second 6 foot tall decorative CMU wall along the eastern property boundary is to hide the appearance of the existing wall. Staff does not anticipate any negative impacts from the proposed wall. Therefore, staff can support this request.

Staff Recommendation

Approval.

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

PRELIMINARY STAFF CONDITIONS:

Public Works - Development Review

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTEST:

APPLICANT: JANET GOYER

CONTACT: JANET GOYER, OVATION CONTRACTING, INC., 10650 W. CHARLESTON BLVD., SUITE 150, LAS VEGAS, NV 89135