

11/06/24 BCC AGENDA SHEET

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-24-0488-SOUTH PAW RESORT CENTER, LLC:

WAIVER OF DEVELOPMENT STANDARDS for an alternative landscape buffer.

DESIGN REVIEW for site modifications for a previously approved kennel (dog daycare and boarding) with retail on 0.89 acres in an IP (Industrial Park) Zone.

Generally located on the north side of Pyle Avenue and the east side of Ullom Drive within Enterprise. JJ/lm/kh (For possible action)

RELATED INFORMATION:

APN:

177-30-204-004

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Allow a single row of trees planted 30 feet apart on center where a double row of trees planted 20 feet apart on center in each row is required for a landscape buffer along the north and east property lines per Section 30.04.02B.
- b. Allow non-evergreen trees where evergreen trees are required for a landscape buffer along the north and east property lines per Section 30.04.02B.

LAND USE PLAN:

ENTERPRISE - BUSINESS EMPLOYMENT

BACKGROUND:

Project Description

General Summary

- Site Address: 10160 S. Ullom Drive
- Site Acreage: 0.89
- Project Type: Retail building with kennel
- Parking Required/Provided: 40/43

Site Plans

The plans depict a previously approved retail and kennel building located on the westerly portion of the site. Access to the property is from commercial driveways on Pyle Avenue and Ullom Drive with parking located along the north and east portions of the site. The main entrance of the building is located on the east building face with a decorative block screened outside dog run and training areas located on the north, west, and south sides of the building. The proposed changes include a 377 square foot (surface area) swimming pool that is 4.5 feet deep and a 113 square foot (surface area) dog splash pad, located in the outdoor enclosed rear area on the west side of the building. There have been no changes to the previously approved parking lot layout.

Landscaping

The proposed plans include a 6 foot wide (minimum width) previously approved street landscape area along Pyle Avenue and Ullom Drive with an attached sidewalk. The trees were approved with Arizona Ash trees 30 feet on-center, a deciduous tree, which is no longer recommended per the SNRPC Regional Plant List. The proposed plan modifies the street trees to Mesquite (semi-evergreen, 24 inch box) along Ullom Drive, and to Blue Palo Verde (deciduous, 15 gallon), along Pyle Avenue. Shrubs and groundcover are also proposed.

The previously approved 6 foot wide landscape buffer area is located along the east and north property lines with 1 tree per 20 feet per Figure 30.64-11. The original design of the site included trees along the east and north property lines that were 48 inch box with Silver Dollar Gums, which is an evergreen tree as required per Code. The modified design provides 24 inch box Red Push Pistache which is a deciduous tree rather than an evergreen tree every 20 feet. Shrubs and groundcover are also planted within the landscape buffer.

Parking lot trees were originally approved with Arizona Ash and have been updated to Willow Acacia (evergreen, 24 inch box). The previously approved outside dog run, and training areas are finished with artificial turf and shrubs.

All proposed trees qualify as medium sized trees as the average overall height is 30 feet per the SNRPC Regional Plant List, and the current development Code requires large trees to be 40 minimum in height. However, they are equivalent in size with the trees previously approved.

There are no proposed changes to the north and east property walls. Per the previously approved plans, the rear portion of the building is enclosed by a 6 foot high screen wall along Ullom Drive. The northern portion of the enclosure wall is proposed to be moved to the back of the pedestrian walkway on the south side of the driveway from Ullom Drive.

Applicant's Justification

The applicant indicates that the proposed changes are aimed to incorporate the site with its residential surroundings to create a more neighborly aesthetic.

Prior Land Use Requests

Application Number	Request	Action	Date
ADR-24-900517	Revised plans for modifications to the building exterior and floor plan	Approved by ZA	August 2024
DA-23-900329	Development Agreement	Approved by BCC	September 2023
VS-22-0093	Vacated and abandoned various site public easements	Approved by BCC	April 2022
ZC-22-0092	Reclassified 0.9 acres to M-D zoning for retail and kennel uses	Approved by BCC	April 2022
VS-0753-17	Vacated and abandoned patent easements - recorded	Approved by PC	October 2017

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0070-17	Office warehouse with modified off-site improvement standards - expired	Approved by BCC	March 2017
DR-0212-16	Office/warehouse development - expired	Approved by BCC	July 2016
ZC-0705-14	Reclassified 1.3 acres to M-D zoning for future office warehouse - expired	Approved by BCC	October 2014

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North & East	Business Employment	RS2	Single-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
West	Business Employment	CG	Tavern

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

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

Waiver 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 #1a

Staff can support the single row of trees rather than the double row of trees within the landscape buffer, since the width was previously approved and established per the prior Code requirement.

Waiver of Development Standards #1b

Staff does not support the change in materials to non-evergreen trees adjacent to the developing residential properties to the north and east. The original approval was granted, noting the size and type of trees. If the applicant revised the plants to evergreen trees, staff could support the request, which would match the current development Code standards. Staff recommends denial.

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 the proposed swimming pool, splash pad, modified location of the enclosure wall, and modified street landscaping are similar to those originally approved, should have minimal impact on the surrounding residential properties. Therefore, staff can support this request.

Staff Recommendation

Approval of the design review and waiver of development standards #1a; denial of waiver of development standards #1b.

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:

- 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

- No comment.

Fire Prevention Bureau

- No comment.

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 #0128-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC:
APPROVALS:
PROTESTS:

APPLICANT: GEORGE RIVERA

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