

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0107-SUMMERLIN GATEWAY PLAZA, LLC:

WAIVERS OF DEVELOPMENT STANDARDS for the following: **1)** modify residential adjacency standards; **2)** eliminate and reduce buffering and screening; **3)** increase retaining wall height; **4)** increase maximum parking; and **5)** reduce throat depth.

DESIGN REVIEW for a proposed shopping center on a 7.88 acre portion of a 9.24 acre site in a CG (Commercial General) Zone.

Generally located south of Tropicana Avenue and west of Grand Canyon Drive within Spring Valley. JJ/md/kh (For possible action)

RELATED INFORMATION:

APN:

163-30-101-004; 163-30-101-005

WAIVERS OF DEVELOPMENT STANDARDS:

1.
 - a. Allow the largest structure (health club) in a multi-building development not within the core of the development where required per Section 30.04.06G.
 - b. Allow parking areas for nonresidential development within 30 feet of a residential district where not permitted per Section 30.04.06L.
2.
 - a. Allow an existing 6 foot high screen wall along the south property line to remain where an 8 foot decorative screen wall is required per Section 30.04.02C.
 - b. Reduce the landscape buffer width along a portion of the south property line (western half) to 10 feet where 15 foot is the minimum required per Section 30.04.02C (a 33.4% reduction).
 - c. Allow a single row of evergreen trees along a portion of the south property line (western half) where buffers require a double row of evergreen trees each row planted offset from one another per Section 30.04.02C.
 - d. Eliminate the landscape buffer along a portion of the southeast property line (eastern half) where a 15 foot wide landscape buffer consisting of a double row of evergreen trees each row planted offset from one another is required per Section 30.04.02C.
3.
 - a. Increase the height of the retaining wall along a portion of the south property line to 5 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 66.7% increase).
 - b. Increase the height of the retaining wall along a portion of the west property line to 6 feet where 3 feet is the maximum allowed per Section 30.04.03C (a 100% increase).
4. Increase parking to 418 parking spaces where a maximum of 245 parking spaces are allowed per Section 30.04.04D (a 70.6% increase).

5. Reduce throat depth for a proposed driveway located at the northwest corner of the site to 8 feet where a minimum throat depth of 150 feet is required per Section 30.04.08 and Uniform Standard Drawing 222.1 (a 94.7% reduction).

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: N/A
- Site Acreage: 7.88 (project site)/9.24(overall)
- Project Type: Shopping center
- Number of Stories: 1 (Retail A through C, restaurants, and vehicle maintenance and repair)/ 2 (Health club)
- Building Height (feet): 32.5 (Retail A through C, and vehicle maintenance and repair)/19 (Restaurants 1 & 2)/35 (Health club)
- Square Feet: 11,308 (Retail A)/12,158 (Retail B)/7,075 (Retail C)/3,500 (Restaurants 1 & 2)/7,309 (Vehicle maintenance and repair)/40,000 (Health club)
- Parking Required/Maximum Allowed/Provided: 213/245/460 (including 18 accessible spaces and 15 EV installed spaces)
- Sustainability Required/Provided: 7/7

Site Plans

The plans depict a proposed shopping center consisting of 6 buildings located on 7.88 acre portion of a 9.24 acre site. A restaurant with a drive-thru, a vehicle maintenance and repair facility, and a retail building are located at the northeast corner of the site. A retail building and a restaurant, which both include drive-thru lanes, are proposed at the northwest corner of the shopping center. The sixth building, which includes a health club and tenant spaces for commercial uses, is located at the southwest portion of the site. The southeast corner of the site is not a part of this application and will be part of a future development. The primary means of access to the site is granted via a centrally located driveway along the north property line, adjacent to Tropicana Avenue. A secondary point of access is granted via a proposed commercial driveway located at the northwest corner of the site, also adjacent to Tropicana Avenue. The shopping center requires 213 parking spaces where a maximum of 245 spaces are allowed and 451 parking spaces are provided. Fifteen EV installed and 49 EV capable parking spaces are distributed throughout the site. Pedestrian access is not shown throughout the site. A 5 foot wide detached sidewalk is proposed along Tropicana Avenue.

Landscaping

The plans depict a proposed street landscape area, including two, 5 foot wide landscape strips provided on each side of the detached sidewalk along Tropicana Avenue. Trees, shrubs, and ground cover are planted along the street frontage in accordance with Title 30. A landscape strip, measuring a minimum of 8 feet in width, is proposed along the west property line adjacent to an existing assisted/independent living facility. A double-row of evergreen trees, planted 20 feet on center, are proposed within this strip. A landscape strip, measuring a minimum of 10 feet

in width and consisting of evergreen trees, is located along a portion of the south property line (western half), adjacent to an existing single-family residential development. After the 10 foot wide landscape strip, a 5 foot high retaining wall is located, followed by an additional 5 foot wide landscape strip consisting of evergreen trees. Due to the presence of the retaining wall and the change in elevation, the landscaping is not provided as one continuous buffer along this portion of the property line, thereby necessitating a waiver of development standards to allow a 10 foot wide landscape buffer immediately adjacent to the neighboring residential properties.

A total of 146 trees are planted within the interior of the parking lot where 73 trees are required. An alternative landscape plan is requested as landscape islands are not provided for every 6 parking spaces, in addition to the swale within the street landscape area at the northeast corner of the site which requires a redistribution of trees.

Elevations

Below is a table reflecting the height and materials for each building:

Building	Height (in feet)	Materials
Retail A	32.5	Painted concrete, composite wood cladding, steel canopies, aluminum storefront window systems
Retail B*	32.5	
Retail C	32.5	
Vehicle maintenance & repair facility	32.5	
Restaurants 1 & 2	19	
Health club*^	35	^The health club consists of painted concrete, brick, reveals, and an aluminum storefront window system

*The health club and retail B are attached and function as one building.

Five overhead roll-up doors, facing towards the interior of the shopping center, are located on the west elevation of the vehicle maintenance and repair facility. All rooftop mounted equipment will be screened from the right-of-way and public view by parapet walls. The buildings within the shopping center will be painted with neutral colors.

Floor Plans

The floor plans for each building, with the exception of the health club, consist of shell space with the future interior configuration to be determined by the needs of the individual tenant. Below is a table reflecting the area of the buildings within the shopping center:

Building	Area (in square feet)
Retail A	11,308
Retail B	12,158
Retail C	7,075
Vehicle maintenance & repair facility	7,309
Restaurants 1 & 2	3,500 (each building)
Health club	40,000 plus 2,000 square feet outdoor area
Total Building Area	84,850

The health club consists of 2 stories with the first floor featuring multiple exercise areas, locker rooms, offices, lobby and reception area, and offices. The second floor of the club includes multiple exercise areas, restrooms, and storage areas.

Applicant’s Justification

There will still be an area measuring 15 feet along the south property line but there is necessary riprap for drainage purposes that will not enable landscaping in the area. There is not a need for a redundant wall and the retaining wall is necessary in this location along the south property line. There is adequate room for patrons of the shopping center to pull into the parking lot to find parking. There is also an additional access on Tropicana Avenue with adequate throat depth. There are no access gates. Throat depth waivers for commercial developments on Tropicana Avenue are common. Stacking on Tropicana Avenue will not be an issue. The retaining walls at the south and southwest portions of the site are necessary for proper grading and drainage of the site. The site breaks west to east requiring cut and retaining walls to better develop the site. The retaining walls will not have any adverse impacts on neighboring properties as they will not be visible to neighboring properties. If these uses within the shopping center were parceled out or standalone uses, the maximum number of parking spaces permitted by code would be 468 parking spaces. That is only 17 parking spaces less than currently provided. The additional parking spaces are necessary for the large scale commercial plaza especially one with a large gym as the anchor tenant. The large gyms can get very crowded and require a lot of parking. The large gyms especially need this parking during peak hours. The applicant is providing 146 trees where 73 trees are required. This will help to mitigate the urban heat island effect while enhancing the look of the commercial center. The health club is appropriately placed at the south property line to allow for parking and pedestrian connectivity within the site. The health club should be located where proposed on the plan to allow for adequate parking for the health club and the other shops within the development. This allows a more comprehensive design with the health club located at the rear. The parking spaces at the southeast corner are separated from the existing residential by the riprap for drainage. This will not negatively impact the existing residences as there will be the riprap, an existing wall and the houses rear yard setbacks separating the parking spaces to the existing development.

Prior Land Use Requests

Application Number	Request	Action	Date
ZC-0563-07	Zone change from R-E to C-1 zoning for an office complex	Approved by BCC	June 2007
DR-0858-03	Design review for a retail building with vehicle maintenance and repair	Approved by BCC	July 2003
DR-0675-02	Design review for a tavern	Approved by BCC	June 2002
ZC-0107-01	Zone change a portion of the project site from R-E and C-P to C-1 and C-2 zoning for a shopping center - expired	Approved by BCC	July 2001

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Compact Neighborhood (up to 18 du/ac)	RM32 & RM50	Multi-family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	RS3.3	Single-family residential
West	Neighborhood Commercial	CG	Assisted/independent living facility
East	Corridor Mixed Use (less than 18 du/ac)	CG	Vehicle maintenance & repair, retail building, & undeveloped

Related Applications

Application Number	Request
VS-26-0108	A vacation and abandonment for government patent easements and right-of-way 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.

Waivers of Development Standards #1a

The purpose of requiring the location of the largest structure within the core of a multi-building development is to lessen the impact the structure may potentially have on adjacent residential uses. In this particular case, the largest structure being the proposed 2 story health club located at the southwest corner of the site. The grade of the shopping center is slightly lower than the existing single-family residential development to the south. However, there is a mixture of 1 and 2 story residences immediately south of the 2 story health club. Staff is concerned the 2 story health club may potentially impact the adjacent single-family residences; therefore, recommends denial.

Waiver of Development Standards #1b

The intent of residential adjacency standards is to promote compatible transitions between land use areas of differing intensities and to reduce potential negative impacts that may occur when

higher-intensity development is located adjacent to residential zoning districts. The intent of limiting parking spaces within 30 feet of residential zoning districts, when not separated by a building or otherwise appropriately buffered with the required buffering and screening requirements, is to limit the impact vehicles may have on surrounding single-family residences. Due to the lack of a landscape buffer within this area, which is required to mitigate any negative impacts on the adjacent residential development, staff cannot support this request.

Waiver of Development Standards #2a

Staff recognizes that the grade of the shopping center is lower than the adjacent single-family residential development to the south. Although the lower elevation may mitigate some impacts of maintaining the existing 6 foot high wall instead of the required 8 foot high wall, the absence of the required landscape buffer along a portion of the south property line (eastern half), and the reduced width of the required landscape buffer along the other portion of the south property line (western half), in combination with only a 6 foot high wall, will not adequately lessen the potential adverse impacts of the proposed use on the less intensive residential uses to the south.

Waiver of Development Standards #2b & 2c

There is approximately a 5 foot grade difference between the two landscape strips, which limits the effectiveness of the buffer as intended. The retaining wall could be relocated to allow for one continuous landscape buffer strip. Therefore, staff recommends denial of this request.

Waiver of Development Standards #2d

Staff finds that the request to eliminate the required landscape buffer along a portion of the south property line (eastern half) constitutes a self-imposed hardship and may negatively impact the adjacent residential development, particularly given the absence of the required 8 foot high wall. Therefore, staff recommends denial of this request.

Waiver of Development Standards #3

The purpose of reviewing increased retaining wall height and fill is to ensure there are no negative impacts to the surrounding properties. The applicant indicates the increase in retaining wall height is a result of drainage and sewer design considerations. Staff typically does not support increases to retaining wall height; however, the increase to the retaining wall height should have minimal impact on the adjacent properties. The property to the west is located within a CG zoning district and is developed as an assisted/independent living facility. The single-family residential development to the south has a slightly higher grade than the project site, which should lessen the impact of this waiver request. However, since staff is not supporting the other waivers of development standards and design review associated with this application, staff recommends denial of this request.

Waiver of Development Standards #4

The intent of limiting the maximum number of parking spaces within non-residential development is to reduce the urban heat island effect and additional stormwater runoff. The applicant indicates additional parking is necessary due to the anchor tenant, a health club, which typically generates a large membership resulting in an increased demand for parking. Staff recognizes that certain uses may generate the need for additional parking. However, staff has several concerns with the design of site, with the main concern being the equitable distribution of

parking lot landscaping throughout the shopping center and the lack of landscape finger islands every 6 spaces. Staff finds the parking lot can be redesigned to ensure a more equitable distribution of trees to compensate for the excessive number of parking spaces. Therefore, 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 the buildings within the shopping center feature a consistent and unified design theme. However, staff has several concerns with the overall design of the shopping center. Staff is concerned with the lack of pedestrian connectivity between the buildings within the project site. Given the nature of the proposed uses within the development, which generate a higher volume of pedestrian and vehicular traffic, staff finds the absence of interior walkways may potentially create conflicts between automobiles and pedestrians. Staff also finds the disbursement of trees within the shopping center a may not provide an equitable distribution of shade within the parking lot. Although the required trees have been provided by placing 3 trees within the landscape finger islands, the parking lot can be redesigned to include a minimum of 1 landscape finger island for every 6 parking spaces, to better distribute the trees throughout the shopping center. With the current design, the majority of the site is designed with 1 landscape finger island for every 7 parking spaces or more, resulting in an inequitable distribution of shade within the parking lot. Based on the totality of the waivers of development standards associated with this application, in addition to staff's concerns with the design of the shopping center, staff recommends denial of this request.

Public Works - Development Review

Waiver of Development Standards #5

With the high volume of traffic on Tropicana Avenue, the request to eliminate throat depth is excessive and will cause stacking in the right-of-way. Furthermore, the parcel to the west has an existing driveway adjacent to the proposed driveway, which limits sight visibility and will create conflicting movements from both driveways. Therefore, staff cannot support this request.

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:

- Expunge the design review associated with ZC-0563-07;
- 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;
- The installation of detached sidewalks will require the vacation of excess right-of-way and granting necessary easements for utilities, pedestrian access, streetlights, and traffic control devices;
- No access from the west driveway on Tropicana 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;
- 20 foot drive aisles are not code compliant.
- Applicant is advised 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 #0432-2026 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

TAB/CAC: Spring Valley - denial.

APPROVALS:

PROTESTS:

APPLICANT: MARK MULHALL

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