

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

WS-26-0263-GREEN CIRCLE FOUNDATION, LLC:

WAIVER OF DEVELOPMENT STANDARDS for alternative driveway geometrics.

DESIGN REVIEW for a proposed vehicle maintenance or repair facility and proposed retail suites in conjunction with an existing shopping center on a 0.85 acre portion of a 6.24 acre site in a CG (Commercial General) Zone within the Airport Environs (AE-60) Overlay.

Generally located west Valley View Boulevard and south of Blue Diamond Road within Enterprise. JJ/sd/cv (For possible action)

RELATED INFORMATION:

APN:

177-18-511-003 through 177-18-511-005; 177-18-611-002 through 177-18-611-004

WAIVER OF DEVELOPMENT STANDARDS:

1. a. Reduce the existing driveway throat depth along Valley View Boulevard (southeast corner) to 13 feet where 75 feet is required per Uniform Standard Drawings 222.1 (an 83% reduction).
- b. Reduce the existing driveway width along Valley View Boulevard (southeast corner) to 36 feet where 39 feet is required per Uniform Standard Drawings 222.1 (an 8% reduction).

LAND USE PLAN:

ENTERPRISE - ENTERTAINMENT MIXED-USE

BACKGROUND:

Project Description

General Summary

- Site Address: 3835; 3815; 3837; 3885 Blue Diamond Road
- Site Acreage: 0.85 (pad site)/6.24 (existing shopping center)
- Project Type: Vehicle maintenance or repair facility and retail
- Building Height (feet): 32
- Square Feet: 5,500 (Vehicle maintenance or repair)/2,400 (new retail suites)
- Parking Required/Provided: 104/256 (previously approved and existing on site)
- Sustainability Required/Provided: 7/7

Site Plan

The plans depict 4 existing buildings and a new building with a vehicle maintenance or repair facility and retail spaces to be constructed on the southeast portion of the shopping center on an existing pad site. The vehicle maintenance facility building will be oriented north to south at the

center of the pad site, with the retail spaces facing north. The roll up doors will face east towards Valley View Boulevard. The parking areas are distributed throughout the shopping center, with some immediately north and east of the proposed building. Access is provided by a 2 driveways along Blue Diamond Road and 2 driveways along Valley View Boulevard. The applicant will not make any changes to the existing parking lot or to the existing shopping center.

Landscaping

Parking lot and street landscaping currently exist throughout the site. The applicant will replant all the landscaping along the south property line of the shopping center to match what was previously approved with ZC-0384-11.

Elevations

The plans depict a new commercial building with varied rooflines, columns, parapet wall, stucco finish, and metal roll-up doors. The maximum height is 32 feet.

Floor Plans

The floor plans depict a 5,500 square foot vehicle maintenance facility with 9 bays. The attached retail component has an overall area of 2,400 square feet, which will be split into 2 separate suites.

Applicant's Justification

The applicant states the throat depth dimension exists and was built according to standards in place when the property was initially constructed and the reduced driveway width is existing and was built according to standards in place when the property was initially constructed. Vehicles and delivery trucks have used this entrance over the years with no visible damage occurring.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0624-14	Waiver of development standards to increase sign height	Approved by BCC	February 2015
ZC-0384-11	Zone change from R-E and H-2 zoning to C-2 zoning and waivers of development standards and design review for a shopping center	Approved by BCC	October 2011
TM-500070-11	Tentative map for a 1 lot commercial subdivision	Approved by BCC	October 2011
VS-0507-11	Vacation and abandonment of easements - recorded	Approved by PC	December 2011
VS-0383-11	Vacation and abandonment of right-of-way - recorded	Approved by BCC	October 2011
UC-1480-00	Use permit for a power substation and power transmission corridor	Approved by PC	November 2000

Surrounding Land Use

	Planned Land Use Category	Zoning District (Overlay)	Existing Land Use
North	Corridor Mixed-Use	CG (AE-60)	Shopping center
South	Public Use	CG & RS20 (AE-60)	NV Energy substation
East	Entertainment Mixed-Use	CR (AE-60)	Shopping center and undeveloped
West	Entertainment Mixed-Use	CG (AE-60)	Undeveloped

The subject site is 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**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.

The proposed design of the building meets code requirements as it incorporates horizontal articulation measures, including varied roof line and roof height, changes in texture, material or surface colors, columns, and parapet walls. The roll up doors will face towards the right-of-way, though they will be partially screened with existing street landscaping. Staff can support the design review.

Public Works – Development ReviewWaiver 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.

Staff has no objection to the requested reductions in throat depth and driveway width as the proposed additions should have no negative impacts.

Department of Aviation

The development will penetrate the 100:1 notification airspace surface for Harry Reid International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.02.26B.3(ii) of

the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

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

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

- Replant the trees and shrubs along the south property line in accordance with the previously approved landscape plan per ZC-0384-11 prior to the issuance of a Certificate of Occupancy;
- Enter into a standard development agreement prior to any permits or subdivision mapping in order to provide fair-share contribution toward public infrastructure necessary to provide service because of the lack of necessary public services in the area;
- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance.
- Applicant is advised that certain uses are not permitted in the airport environs and certain other uses will require a special use permit; 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

- Traffic study and compliance.

Department of Aviation

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.02.26B of the Clark County Unified Development Code. Applicant is advised that many factors may be considered before the issuance of a permit or variance, including, but not limited to, lighting, glare, graphics, etc.;

- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation. The Determination of No Hazard must not be expired.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; and that the FAA's airspace determinations include expiration dates and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

Fire Prevention Bureau

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: VICTOR KNIGHT

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