

11/15/22 PC AGENDA SHEET

SHADE STRUCTURE
(TITLE 29)

SOUTHERN HIGHLANDS PKWY/DEAN MARTIN DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

VC-22-0532-ASO NEVADA, LLC:

VARIANCE to increase the height of a proposed accessory structure (shade structure) in conjunction with an existing private school on 4.4 acres in an R-3 (Multiple Family Residential) P-C (Planned Community Overlay District) Zone in the Southern Highlands Master Planned Community.

Generally located on the northeast side of Southern Highlands Parkway, 625 feet north of Dean Martin Drive within Enterprise. JJ/md/syp (For possible action)

RELATED INFORMATION:

APN:

191-05-201-013

VARIANCE:

Increase accessory structure height to 17 feet where a maximum height of 14 feet is permitted per Section 29.15.270 and Table 29.15-1 (a 21.4% increase).

LAND USE PLAN:

ENTERPRISE - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: 11500 Southern Highlands Parkway
- Site Acreage: 4.4
- Project Type: Shade structure
- Number of Stories: 1
- Building Height (feet): 17
- Square Feet: 960
- Parking Required/Provided: 116/125

Site Plans

The plans depict an existing private elementary and middle school approved via UC-1099-02 by the Planning Commission in September 2002. The purpose of this application is to add a third shade structure to the site, located immediately to the northeast of the existing outdoor basketball

court within the rear yard of the school. The shade structure is set back a minimum of 10 feet from the rear (north) property line, adjacent to the existing single family residential development. All other building separations and setbacks have been met per Code requirements. Two existing shade structures are located to the west and southwest of the proposed structure. Access to the project site is granted from Southern Highlands Parkway.

Landscaping

All street and site landscaping exists, and no changes are required or proposed to the street and site landscaping.

Elevations

The plans depict a single story shade structure measuring up to 17 feet in height. The canopy of the shade structure consists of fabric and is supported by 4 poles.

Floor Plan

The shade structure covers an area measuring approximately 960 square feet.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant states that due to extremely high temperatures in Las Vegas, they are requesting consideration of the shade structure for the health and safety of the students. Having this shade would protect the children from harmful ultraviolet sun rays, hot equipment that can cause severe burns, and will give peace of mind to the parents that the students are provided a safe environment for their well-being. Commercial playground shades offer great protection, even more than if you were to wear a hat. Children can also play longer without overheating, allowing them to have more fun while staying active. The shade also protects the play equipment, which can fade and crack over time and create hazards for children at play. There are countless reasons why adding a shade over the playground would be beneficial for the students. The play structure, covered by the proposed shade structure, was placed in this location because it is in the playground area near the other 2 structures. Two additional shade structures over 2 existing play structures are located within the school site. There are also other buildings in that area that are well above the 16 feet height requirement for this zone.

Prior Land Use Requests

Application Number	Request	Action	Date
DR-0628-16	2 classroom buildings located at the northeast corner of the site (replaced manager's quarters)	Approved by PC	October 2016
DR-0137-04	Second phase of a private school including a manager's quarters located in the northeast corner of the site	Approved by PC	March 2004
UC-1099-02	Private elementary and middle school	Approved by PC	September 2002

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North, East, & West	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-3	Single family residential
South	Mid-intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

Analysis**Current Planning**

Staff cannot support the variance since the proposed request is a self-imposed hardship. The findings for a variance state that the proposed variance is appropriate for its proposed location by finding that there are special circumstances or conditions peculiar to the property or building by reason of exceptional narrowness, shallowness, shape, or topographic condition or an extraordinary or exceptional situation, that strict application of the Zoning Code would result in peculiar or exceptional difficulties to the development of the property. This is triangularly shaped lot with no unique or special characteristics. Furthermore, the height of the proposed shade structure can be reduced to meet the established Code standards. Staff finds that the applicant has not provided evidence that a variance should be approved in this situation.

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 29, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:**Current Planning**

If approved:

- 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Enterprise - approval.

APPROVALS:

PROTESTS:

APPLICANT: CALLIE MOUL

CONTACT: CALLIE MOUL, SPRING EDUCATION GROUP, 1999 S. BASCOM AVENUE
#400, CAMPBELL, CA 95008