

05/17/23 BCC AGENDA SHEET

WALL HEIGHT & FINISHED GRADE
(TITLE 30)

LOS FELIZ ST/WASHINGTON AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

ET-23-400034 (WS-18-0493)-PLEASANT VIEW PARTNERS I, LLC:

WAIVER OF DEVELOPMENT STANDARDS SECOND EXTENSION OF TIME to increase wall height.

DESIGN REVIEW for finished grade in conjunction with a previously approved assisted living facility and congregate care facility on 6.8 acres in an R-E (Rural Estates Residential) Zone.

Generally located on the west side of Los Feliz Street and the north side of Washington Avenue within Sunrise Manor. TS/tpd/syp (For possible action)

RELATED INFORMATION:

APN:

140-26-211-001 through 140-26-211-003; 140-26-211-008 through 140-26-211-020

WAIVER OF DEVELOPMENT STANDARDS:

Increase combined wall/retaining height to 24 feet (18 foot retaining wall/6 foot screen wall) where a combined wall/retaining height of 16 feet (10 foot retaining wall/6 feet of wrought iron) was previously approved (a 50% increase) and where a maximum wall height of 9 feet (3 foot retaining wall/6 foot screen wall) is permitted per Chapter 30.64 and Figure 30.64-15 (a 167% increase).

DESIGN REVIEW:

Increase the finished grade to 60 inches (5 feet) where 48 inches (4 feet) was previously approved and where a maximum of 36 inches (previously approved as 18 inches) is the standard per Section 30.32.040 (a 67% increase).

LAND USE PLAN:

SUNRISE MANOR - RANCH ESTATE NEIGHBORHOOD (UP TO 2 DU/AC)

BACKGROUND:

Project Description

General Summary

- Site Address: Various
- Site Acreage: 6.8
- Project Type: Increase finished grade and increase retaining wall height

Site Plans & Request

The approved plans depict a proposed congregate care facility and assisted living facility. The project consists of 2 buildings: 1) 15,668 square foot congregate care facility; and 2) 45,000 square foot assisted living facility. Both facilities will work in tandem and closely together with patients. The staff at each facility will work directly with one another to maintain the residency of patients. The facilities will be located on separate lots that are a minimum of 80,000 square feet with cross access and shared access points from Los Feliz Street (collector street). The plans depict a proposed 1.2 acre open space buffer at the northwest corner of Los Feliz Street and Washington Avenue with the proposed congregate care facility north of the open space area and proposed assisted care facility directly to the north of the congregate care facility. Immediately to the north of the project site are 4 parcels totaling 1.7 acres that will remain undeveloped at this time. The project complies with required on-site parking, with the parking areas equitably distributed. Access to the site is from 2 proposed driveways along Los Feliz Street. The plans depict the overall site is substantially lower than Los Feliz Street and slightly higher than Washington Avenue. The increased finished grade was approved up to 60 inches (5 feet) within the boundaries of the project site.

Landscaping

The approved plans depict a 17 foot wide landscape area with a detached sidewalk along Washington Avenue. The approved 24 foot high wall (18 feet retaining and 6 feet of decorative iron fencing) is depicted within a portion of this area and along the west property line. Directly north of the street landscaping is a 1.2 acre (51,675 square foot) open space buffer with prescribed landscaping, consisting of groundcover, shrubs, and trees. The plans depict a 30 foot wide landscape area with a detached sidewalk along Los Feliz Street directly in front of the proposed congregate care facility. A 15 foot wide landscape area with detached sidewalk is depicted along Los Feliz Street in front of the proposed assisted care facility. A 6 foot to 10 foot wide landscape buffer is shown along the entire west property line. All landscaping, including parking lot landscaping, will be equitably dispersed throughout the site.

Previous Conditions of Approval

Listed below are the approved conditions for ET-21-400159 (WS-18-0493):

Current Planning

- Until February 21, 2023 to commence with any extension of time as a public hearing.
- 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; and that 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.

Public Works- Development Review

- Compliance with previous conditions.

Listed below are the approved conditions for WS-18-0493:

Current Planning

- Legalize boundaries of property prior to building permit issuance;
- West side of the retaining wall oriented towards the school to remain free and clear of graffiti.
- Applicant is advised that 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

- Drainage study and compliance;
- Drainage study must demonstrate that the proposed grade elevation differences outside that allowed by Section 30.32-040(a)(9) are needed to mitigate drainage through the site;
- Traffic study and compliance;
- Full off-site improvements;
- Vacate existing right-of-way at driveway and grant necessary easements.
- Applicant is advised that the installation of detached sidewalk will require granting necessary easements for utilities, pedestrian access, streetlights, and traffic control and that approval of this application will not prevent Public Works from requiring an alternate design to meet Clark County Code, Title 30, or previous land use approvals.

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 #0222-2018 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

Applicant’s Justification

Since the approval of the previous extension of time, the property has changed ownership. Although the property was graded, a change in ownership occurred resulting in additional and unforeseen delays. The applicant is requesting an additional 2 year extension to allow time to commence the development and hold the required review as a public hearing.

Prior Land Use Requests

Application Number	Request	Action	Date
ET-21-400159 (WS-18-0493)	First extension of time to increase wall height and increase finish grade	Approved by BCC	November 2021
ET-21-400160 (VS-19-0100)	First extension of time to vacate and abandon pedestrian easement and driveway easement	Approved by BCC	November 2021
ET-21-400092 (UC-17-0480)	Second extension of time for a congregate care facility and assisted living facility, and for wall height and increased finished grade	Approved by BCC	July 2021

Prior Land Use Requests

Application Number	Request	Action	Date
ET-20-400017 (UC-17-0480)	First extension of time for a congregate care facility and assisted living facility, and for wall height and increased finished grade	Approved by BCC	April 2020
VS-19-0100	Vacated and abandoned pedestrian easement and driveway easement	Approved by PC	March 2019
WS-18-0493	Increased wall height and increased finished grade	Approved by BCC	February 2019
UC-17-0480	Congregate care facility and assisted living facility, waivers to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade	Approved by BCC	February 2018
DR-0962-07	19 residential lots within hillside development	Approved by PC	September 2007
TM-0104-07	19 lot single family residential development	Approved by BCC	May 2007
WS-0060-05	Reduced lot area and private street width in conjunction with a proposed residential development	Approved by BCC	May 2005

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Public Use	P-F	Undeveloped & O'Callaghan Middle School
South	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Single family residential
East	Ranch Estate Neighborhood (up to 2 du/ac)	R-E	Undeveloped
West	Public Use	P-F	O'Callaghan Middle School, Las Vegas Valley Water District, Southern Nevada Water Authority (water reservoir with tanks), & communication tower

Related Applications

Application Number	Request
ET-23-400026 (UC-17-0480)	Third extension of time for a congregate care facility and assisted living facility, waiver to increase wall height, design reviews for a congregate care facility, assisted living facility, and increased finished grade is a related item on this agenda.
ET-23-400027 (VS-19-0100)	Second extension of time to vacate and abandon pedestrian easement and driveway easement is a related item on this agenda.

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

Analysis

Comprehensive Planning

Title 30 standards of approval on an extension of time application state that such an application may be denied or have additional conditions imposed if it is found that circumstances have substantially changed. A substantial change may include, without limitation, a change to the subject property, a change in the areas surrounding the subject property, or a change in the laws or policies affecting the subject property. Using the criteria set forth in Title 30, no substantial changes have occurred at the subject site since the original approval.

Although staff recognizes the complexities of changing ownership during development, at the end of this expiration period it will be more than 7 years since the original approval of this project. While staff supports the current request, any future extension of time request cannot be supported by staff.

Public Works - Development Review

There have been no significant changes in this area. Staff has no objection to this extension of time.

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

- Until February 21, 2025 to commence with any extension of time as a public hearing.
- 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; and that 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.

Public Works - Development Review

- Compliance with previous conditions.

Fire Prevention Bureau

- No comment.

TAB/CAC: Sunrise Manor - approval.

APPROVALS:

PROTEST:

APPLICANT: PLEASANT VIEW PARTNERS I, LLC

CONTACT: LINDSAY KAEMPFER, KAEMPFER CROWELL, 1980 FESTIVAL PLAZA
DRIVE, SUITE 650, LAS VEGAS, NV 89135