

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-23-0836-BROWN MARY ERNESTINE TRUST:**

**WAIVERS OF DEVELOPMENT STANDARDS** for the following: **1)** reduce setbacks; **2)** reduce street landscaping; **3)** waive landscape buffer; **4)** driveway geometrics; and **5)** commercial curb returns.

**DESIGN REVIEW** for vehicle sales on 0.5 acres in a C-2 (General Commercial) Zone.

Generally located on the north side of Lake Mead Boulevard and the east side of Gateway Road within Sunrise Manor. TS/rr/syp (For possible action)

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RELATED INFORMATION:

**APN:**

140-19-601-019

**WAIVERS OF DEVELOPMENT STANDARDS:**

1. a. Reduce the front yard setback for a decorative fence over 3 feet in height to 9.17 feet along Lake Mead Boulevard where a setback of 10 feet is required per Section 30.64-020 (an 8.3% decrease).
- b. Reduce the street side (corner) setback for a decorative fence over 3 feet in height to 0.67 feet along Gateway Road where a setback of 10 feet is required per Section 30.64.020 (a 93.3% decrease).
2. Waive landscaping behind an existing attached sidewalk where 15 feet of landscaping is required per Section 30.64.030 (a 100% reduction).
3. Eliminate the requirement for a landscaping adjacent to a less intensive use where required per Figure 30.64-11.
4. a. Reduce the departure distance from the intersection of Lake Mead Boulevard and Gateway Road to 64 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 57% reduction).
- b. Reduce the departure distance from the intersection of Lake Mead Boulevard to 60 feet where a minimum of 150 feet is required per Uniform Standard Drawing 222.1 (a 66% reduction).
5. Waive the requirement for commercial curb returns per Uniform Standard Drawing 222.1.

**LAND USE PLAN:**

SUNRISE MANOR - CORRIDOR MIXED-USE

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 4000 E. Lake Mead Blvd.
- Site Acreage: 0.5
- Project Type: Vehicle sales
- Number of Stories: 1
- Building Height (feet): 11
- Square Feet: 480
- Parking Required/Provided: 4/7

#### Site Plans

The plans show a proposed vehicle sales lot with 29 display spaces located on the southern and western portions of the property. Seven customer parking spaces, including one ADA parking space, are located along the northern and eastern sides of the property. The north and east sides of the property are bordered by an existing 6 foot 8 inch CMU wall. A decorative fence is located adjacent to the southern and western property lines near the streets. Two driveway entrances are indicated with one on Lake Mead Boulevard and one on Gateway Road. Each entrance is proposed to have a sliding gate located 20 feet back from the property line. The gates will be open during business hours. A trash enclosure is located adjacent to the east property line in the center of the site, which is undeveloped property master planned for Corridor Mixed Use. In the northwest corner of the site, plans show a 12 foot by 40 foot (480 square foot) office building with a 5 foot wide sidewalk on the south and east sides of the building, set back 10 feet from the north property line. The sidewalk connects to the public sidewalk through a 6 foot wide gate. Bicycle racks for 4 bikes are located at the gate.

#### Landscaping

Attached sidewalks are existing along Lake Mead Boulevard and Gateway Road. The plan indicates 9 feet of street landscaping along Lake Mead Boulevard with some landscaping in the center portion of the Gateway Road frontage. There are 15 gallon trees shown 15 feet on center mixed with shrubs. Landscaping in the parking area is limited to the northeast corner of the site and within 1 landscape island as required.

#### Elevations

The plans show an 11 foot tall building with wood siding on all sides and a metal roof. An entrance with narrow windows on each side is located on the south building elevation. One additional full-sized window is located on the left side of the south elevation. No openings are shown on the other elevations.

#### Floor Plans

The plans show a 12 foot by 40 foot (480 square foot) office building with a single entrance with narrow windows on each side of the entrance. A larger window is located to the left of the building entrance.

Applicant’s Justification

The applicant states that they are proposing to develop the subject site for auto sales with a 480 square foot building with wood framing and siding. The applicant is working with Clark County to develop this project in the best way possible.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0153-98	Watchman’s trailer	Approved by PC	March 1998

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District (Overlay)</b>	<b>Existing Land Use</b>
North	Corridor Mixed Use	R-2	Single family residential
South	Corridor Mixed Use	C-2	Vehicle sales & RV/Mobile Home Park
East	Corridor Mixed Use	R-2	Undeveloped
West	Neighborhood Commercial	C-1	Undeveloped

**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 & #1b

A decorative fence over 3 feet in height is shown on the plans near, and parallel with, the south and west property lines along Gateway Avenue and Lake Mead Boulevard. The standards require fences along the streets to be decorative. However, they must meet the required setbacks of 10 feet if over 3 feet in height. The subject fence is already existing and appears from street views to be a wrought-iron style decorative fence approximately 6 feet in height. In the case of the fence along Lake Mead Boulevard, it is slightly closer than the standard at 9 feet 2 inches from the property line. The fence along Gateway Road is closer at 8 feet from the property line. While staff can support the minor request along Lake Mead Boulevard, staff does not support a fence practically along the property line along Gateway Road. In addition, since staff does not

support the waivers of development standards for landscaping, staff does not support this request.

#### Waiver of Development Standards #2

The site is bordered by existing attached sidewalks on Lake Mead Boulevard and Gateway Road. When an attached sidewalk is allowed to remain, 15 feet of landscaping is required to be located behind the sidewalk per Section 30.64.030. The waiver is to reduce the amount of landscaping behind the sidewalk to less than 15 feet along both streets. The street landscape area along Lake Mead Boulevard is proposed to be 9 feet in width. Along Gateway Road the street landscape area would be limited to a small area south of the driveway. The applicant does not provide a reason for the request. It appears that the sight visibility zones somewhat limit the location of trees that can be placed in the landscape areas, especially along Gateway Road, however some plant material could be provided to soften the streetscape. The office is also located 14 feet from the property line along Gateway Road, and the vehicle display areas are also less than 15 feet back further reducing the area available for landscaping; however, staff believes modifications can be made to the site to provide landscaping along Gateway Road. In addition, it appears that at least 15 feet of landscaping could be placed along the Lake Mead Boulevard frontage without affecting the vehicle display area as designed, but staff can support a minimum of 10 feet of landscaping along Lake Mead Boulevard as the recently adopted revised Title 30 requires 10 feet of landscaping behind an attached sidewalk. Staff could support 10 feet of landscaping along both street frontages, but does not support the plan as proposed.

#### Waiver of Development Standards #3

The site is bordered to the north and east by property that is zoned R-2. The property to the north is developed with a single family home, while the property to the east is undeveloped and master planned Corridor Mixed Use. The applicant is requesting to waive the requirement for a landscape buffer between the subject property and the less intensive uses to the north per Figure 30.64-11. The standard calls for a 6 foot decorative buffer wall at the property line with a 5.5-foot-wide pocket planting or landscape strip with a tree every 20 feet. When an abutting property is developed, the trees are required to be 24 inch box large evergreen trees. The property to the north has the same land use designation but is already developed with a single-family residential home. There is an existing wall along the north property line, although it is not considered decorative. There appears to be room north of the office building to provide a landscape buffer in accordance with the requirements. The parking area to the east would need to be shifted slightly to the south to accommodate a 5.5 foot wide landscape buffer. An additional decorative wall is not necessary along the north property line; however, staff does not support waiving the landscape portion of this buffer. Therefore, staff does not 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.

The proposed use of the property for a vehicle sales lot would appear to be compatible with development in the surrounding area. The commercial strip along Lake Mead Boulevard has a variety of auto-related uses in the immediate area, including 2 auto part stores less than 800 feet to the west, a vehicle sales business directly across the street on Lake Mead Boulevard and another vehicle sales business approximately 1,200 feet to the east. There are also several auto repair shops farther east. The proposed office appears to be a small modular building that would not be out of character with other buildings in the area. Site access and circulation do not appear to negatively impact adjacent roadways or neighborhood traffic. However, staff does not support the reduced setback and landscaping waivers; therefore, staff does not support the design review.

### **Public Works - Development Review**

#### Waiver of Development Standards #4

Staff has no objection to the reduction in the departure distance for the Gateway Road and Lake Mead Boulevard commercial driveways. The applicant placed the driveways as far north and east as the site will allow. However, since staff cannot support this application in its entirety, staff cannot support this request.

#### Waiver of Development Standards #5

Commercial curb return driveways help mitigate traffic by allowing a smooth transition from the road into site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. With the access gates being added on-site, staff finds that it is imperative to improve the driveways for public safety. Staff finds that a commercial pan driveway will only work for the exit only driveway. 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:

- Certificate of Occupancy and/or business license shall not be issued without approval of an application for a zoning inspection.
- 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; the County has adopted a rewrite to Title 30 effective January 1, 2024, 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; 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.

**Fire Prevention Bureau**

- Applicant is advised to submit plans for review and approval prior to installing any gates, speed humps (speed bumps not allowed), and any other Fire Apparatus Access Roadway obstructions.

**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 #0462-2023 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require another POC analysis.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** SUNRISE BUILDERS, LLC.

**CONTACT:** SUNRISE BUILDERS, LLC., 3900 SIX GUN RD., NORTH LAS VEGAS, NV 89032