

06/01/21 PC AGENDA SHEET

FENCE  
(TITLE 30)

MARYLAND PKWY/VEGAS VALLEY DR

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**WS-21-0172-GRD MARYLAND LV, LLC:**

**WAIVER OF DEVELOPMENT STANDARDS** to increase fence height.

**DESIGN REVIEW** for a perimeter fence in conjunction with an existing commercial building on 2.1 acres in a C-1 (Local Business) Zone in the Midtown Maryland Parkway Overlay District.

Generally located on the east side of Maryland Parkway and the north side of Vegas Valley Drive within Winchester. TS/al/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-11-201-011

**WAIVER OF DEVELOPMENT STANDARDS:**

Increase the height of a proposed fence to 5 feet where a maximum of 3 feet is allowed for fences within required street setbacks in conjunction with commercial developments per Section 30.64.020 (a 66.7% increase).

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL NEIGHBORHOOD

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 2882 S. Maryland Parkway
- Site Acreage: 2.1
- Project Type: Perimeter fence
- Number of Stories: 1
- Building Height (feet): 28
- Fence Height (Feet): 5
- Square Feet: 15,000 (existing building)
- Parking Required/Provided: 60/115

**Site Plan**

The site is developed with a commercial building in the central portion of the site with parking lots located to the east and west of the building. Access is provided to the site by existing

driveways from Maryland Parkway and Vegas Valley Drive. No changes are proposed to the existing site layout with this request. The applicant is proposing to install a perimeter fence along the west and south sides of the property adjacent to the streets. The plans depict a 5 foot high decorative metal fence located within the existing landscape areas along the street. The fence will be set back a minimum of 4 feet from the street at the southwest corner of the site, at the intersection of Maryland Parkway and Vegas Valley Drive, and a maximum of 25 feet at the northwest corner from Maryland Parkway. East of the driveways along Vegas Valley Drive the fence is set back 13 feet from the street and does not require a waiver. However, on the western half of the site, the majority of the fence will be within 8 feet of Maryland Parkway and Vegas Valley Drive, where the maximum height allowed for a fence is 3 feet.

#### Landscaping

The plans depict a minimum 10 foot wide landscape area along the north and east property lines. Minimum 6 foot wide landscape areas are depicted along the south and west property lines, which are adjacent to Maryland Parkway (west) and Vegas Valley Drive (south). These existing landscape areas consist of trees, shrubs, and groundcover. The plans indicate that additional plant material will be added to these existing landscaped areas.

#### Elevations

No changes are proposed to the existing building with this request. The existing building is 1 story with a maximum height of 28 feet. The exterior of the building consists of stucco and stone veneer painted with neutral, earth tone colors with a decorative metal roof. The proposed fence is 5 feet tall and constructed of wrought iron.

#### Floor Plans

No changes are proposed to the floor plans of the building with this request. The existing building has an area of 15,000 square feet used for a plasma processing center.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant indicates that the intent of this application is to improve the existing site conditions and security. The applicant believes that by adding the fence it will encourage pedestrians to not cut across the western parking lot, which will reduce pedestrian/vehicle conflicts within the parking lot and enhance security by discouraging the public from using this site as a shortcut.

#### **Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>   | <b>Action</b>  | <b>Date</b>   |
|---------------------------|--|----------------|---------------|
| VS-20-0430                | Vacated easements  | Approved by PC | November 2020 |
| ADR-20-900293             | Exterior improvements and parking lot addition in conjunction with an existing commercial building | Approved by ZA | July 2020     |

**Prior Land Use Requests**

| <b>Application Number</b> | <b>Request</b>                               | <b>Action</b>  | <b>Date</b>   |
|---------------------------|--|----------------|---------------|
| UC-0629-12                | Package liquor sales - expired               | Approved by PC | December 2012 |
| VC-0469-98                | A pharmacy with variances to reduce setbacks | Approved by PC | April 1998    |

**Surrounding Land Use**

|       | <b>Planned land Use Category</b>                                     | <b>Zoning District</b> | <b>Existing Land Use</b>                      |
|-------|--|------------------------|---|
| North | Office Professional & Residential Urban Center (from 18 to 32 du/ac) | R-4 & C-2              | Multiple family residential & office building |
| South | Commercial Neighborhood & General Commercial                         | C-1 & C-2              | Commercial development                        |
| East  | Residential Urban Center (from 18 to 32 du/ac)                       | R-4                    | Multiple family residential                   |
| West  | Commercial General   | C-P                    | Office building                               |

**STANDARDS FOR APPROVAL:**

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

**Analysis****Current Planning**Waiver of Development Standards and Design Review

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The proposed fence is decorative metal that is open and will not be located within the required sight zones, so visibility at the intersection and the driveways will not be impeded. The proposed fence will enhance the appearance of the property, which will improve the appearance of the neighborhood and will also help the applicant to achieve their goal of improved safety and security for the site. Staff finds the proposed fence will not have an adverse effect on the abutting property owners and can support his request.

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

## **PRELIMINARY STAFF CONDITIONS:**

### **Current Planning**

- 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; 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.

### **Building Department - Fire Prevention**

- No comment.

### **Clark County Water Reclamation District (CCWRD)**

- No comment.

**TAB/CAC:** Winchester - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** JMC ENGINEERING PLLC

**CONTACT:** JMC ENGINEERING PLLC, 7315 N. 16TH ST, STE 101, PHOENIX, AZ 85020