



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JULY 17, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: FRANCO REZA TABA - OWNER: TQ CLARKWAY, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0666-ZON1	Staff recommends DENIAL.	
23-0666-VAR1	Staff recommends DENIAL, if approved subject to conditions:	23-0666-ZON1
23-0666-SDR1	Staff recommends DENIAL, if approved subject to conditions:	23-0666-ZON1 23-0666-VAR1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 16

NOTICES MAILED 278 (by City Clerk)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0666-VAR1 CONDITIONS

Planning

1. Approval of a Rezoning (23-0666-ZON1) and Approval of and conformance to the Conditions of Approval for Site Development Plan Review (23-0666-SDR1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
4. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0666-SDR1 CONDITIONS

Planning

1. Approval of a Rezoning (23-0666-ZON1) and Approval of and conformance to the Conditions of Approval for Variance (23-0666-VAR1) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the building elevations date stamped 12/21/23; and site plan, landscape plan, and wall/fence elevations date stamped 05/08/24, except as amended by conditions herein.

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4. Perimeter Screen Walls shall contain 20 percent contrasting material in accordance with Title 19.08.
5. A Waiver from Title 19.08.080 is hereby approved, to allow a zero-foot wide landscape on the north, west and south interior lot lines where eight feet is required and to allow a 10-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required.
6. An Exception from Title 19.08 is hereby approved, to allow zero interior parking lot islands and row end caps with 24-inch box trees where three are required and to allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required.
7. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Building and Safety Division.
8. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
9. Pursuant to LVMC Title 19.08.040.G for commercial and industrial properties, a perimeter wall shall be constructed adjacent to any residential zoning district or property used solely for residential purposes. The wall or fence is intended to screen the commercial or industrial activity from the residential property, and shall be of a solid decorative material that is a minimum of six feet in height measured from the side of the commercial or industrial property. In no case shall the wall or fence exceed the overall height limitation applicable to the adjacent zoning district or property unless approved through a Variance or other applicable means. The overall height of a wall or fence shall be measured from the side with the greatest vertical exposure above finished grade.
10. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, which shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.
11. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

12. In accordance with Title 19.02.025.F and the approved administrative deferral, the applicant shall make an improvement contribution equal to 50% of the City's bond estimate costs for deferred improvements on Clarkway Drive based on the Regional Transportation Commission's (RTC) standard improvements.
13. Based on Title 19.02.025, the property owner must sign a Covenant Running with Land agreement for the possible future installation of half-street improvements per City standards (including curb and gutter, sidewalks, street lighting, permanent paving and possibly fire hydrants and sewers) on Clarkway Drive adjacent to this site. The Covenant agreement must be recorded with the County Recorder and a copy of the recorded document must be provided to the City prior to occupancy of this site.
14. Landscape and maintain all unimproved right-of-way adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
15. Gates shall remain open during business hours. Queues shall not extend into the public right-of-way as a result of the operations on this site.

Fire & Rescue

16. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is requesting the approval of a Rezoning, Variance and Site Development Plan Review to convert an existing single-family dwelling into a Building Maintenance Service and Sales commercial development with accessory Outdoor Storage at 651 Clarkway Drive.

ISSUES

- The applicant has requested a Rezoning from R-E (Residence Estates) to C-2 (General Commercial). Staff recommends denial of the request.
- Per Title 19.12, a Building Maintenance Service and Sales land use is permissible in the proposed C-2 (General Commercial) zoning district.
- Per Title 19.12, an Outdoor Storage land use is allowed as an accessory use in the proposed C-2 (General Commercial) zoning district.
- The applicant has requested a Variance to allow outdoor storage area within required side and rear yard setback areas where such is not permitted and to allow six-foot tall front yard wall/fence (two-foot CMU block with four-foot wrought iron) from the public street where an eight-foot tall solid CMU screening wall is required. Staff recommends denial of the request.
- The applicant has requested a Waiver to allow a zero-foot wide landscape on the north, west and south interior lot lines where eight feet is required and to allow a 10-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required. Staff recommends denial of the request.
- The applicant has requested an Exception to allow zero interior parking lot islands and row end caps with 24-inch box trees where three are required; and to allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required. Staff does not support this request.
- Staff notes an existing Quasi-Municipal well is located in the rear yard area of the subject site that is found in the Nevada Division of Water Resources Database. Irrespective of whether the property is using well water, NRS 534.130 grants water-resource agencies access to private property to carry out their duties during reasonable hours of the day. Access to the well must be maintained, and it would appear that there is an existing access way on the north perimeter of the site to the well for that purpose.

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ANALYSIS

The subject 0.84-acre site is located in the R-E (Residence Estates) zoning district, with a MXU (Mixed Use) General Plan designation, which allows for both residential and commercial zoning districts and is subject to Title 19 development standards. The subject parcel is included in the City of Las Vegas 2050 Master Plan within the West Las Vegas area. This area is comprised of neighborhoods immediately surrounding the Historic Westside district of Downtown Las Vegas. The Martin Luther King Boulevard corridor links the core neighborhoods of West Las Vegas. Many of these neighborhoods remain stable and offer a range of affordable single-family and multi-family housing types.

Historically, West Las Vegas's commercial uses were dominated by small, local businesses. Through the efforts of the City's Redevelopment Agency, several major employment centers are now located within West Las Vegas, including the West Las Vegas Business Park and the Bonanza Road corridor. The subject site is located on a 50-foot wide Local Street that is accessed by primarily single-family residential detached dwellings, approximately 300 feet north of the Bonanza Road. The site is bordered by an existing outdoor storage facilities that are accessed from Bonanza Road to the west and east that are zoned C-2 (General Commercial). The southern perimeter is bordered an existing general retail development zoned C-1 (Limited Commercial) and crop production development zoned R-E (Residence Estates), which are also accessed by Bonanza Road. The northern perimeter of the site is bordered by primarily existing single-family detached dwellings on large lots that are zoned R-E (Residence Estates) that have not been converted to commercial uses. These existing dwelling located on the west side of Clarkway Drive extend north up to the Washington Avenue street alignment.

The applicant has requested to Rezone (23-0666-ZON1) the subject site from R-E (Residence Estates) to C-2 (General Commercial), to facilitate the conversion of the existing 2,564 square-foot single-family dwelling into a Building Maintenance Service and Sales commercial development with outdoor storage. Per Title 19.12, a Building Maintenance Service and Sales land use is permissible in the proposed C-2 (General Commercial) zoning district and Outdoor Storage is allowed as an accessory use. The Building Maintenance Service and Sales land use is defined in Title 19.12 as, "A facility or area for contracting services such as building repair and maintenance, the installation of plumbing, electrical, air conditioning and heating equipment, janitorial services, and exterminating services. The retail sale of supplies is permitted as an accessory use." The submitted justification letter indicates the commercial development will be operated by "Center Cut Landscaping", which currently operates at from a commercial development located at 2020 West Bonanza Road. The submitted justification letter indicates, the property will be utilized as an office and outdoor storage yard for storing vehicles, equipment and materials.

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The City of Las Vegas 2050 Master Plan indicates the MXU (Mixed Use) General Plan designation allows the following zoning designations [R-E (Residence Estates), R-MH (Mobile/ Manufactured Home), R-1 (Single Family Residential), R-2 (Medium-Low Density Residential), R-3 (Medium Density Residential), R-4 (High Density Residential), R-TH (Single Family Attached), O (Office), P-O (Professional Office), C-1 (Limited Commercial) and C-2 (General Commercial)]. Staff has determined that proposed Rezoning (23-0666-ZON1) to C-2 (General Commercial) is inappropriate and inconsistent with the adjacent single-family detached dwellings in the surrounding area, specifically those located on the west side of Clarkway Drive that extend north up to Washington Avenue.

Currently, the site is developed with an existing 2,564 square-foot single-family detached dwelling with multiple detached and attached accessory structures located in the rear yard area. The submitted site plan indicates all of the detached and attached accessory structures will be demolished and removed from the rear yard area with only the 2,564 square-foot primary structure remaining on the site. The site plan depicts that vehicular access to the site will be provided by two 12-foot wide gated driveways to Clarkway Drive. The area surrounding the structure is proposed to be paved approximately 36 feet in front, 60 feet on the north side, 30 feet in the rear and 23 feet on the south side to allow vehicles to circulate around the structure. Also, nine parking spaces including one-van accessible ADA parking space have been provided in the northeast corner of the site, which complies with Title 19.12 onsite parking requirements.

The remaining area in the side and rear yard has been designated as unpaved outdoor storage area that will be covered in three inches on decomposed granite. Pursuant to Title 19.12, "Outdoor Storage" is permitted in the C-2 (General Commercial) zoning district as an accessory use to the primary a Building Maintenance Service and Sales use. The Outdoor Storage land use is defined in Title 19.12 as, "The use of a significant portion of a lot or area for the long term retention (more than 24 hours) of materials and machinery or equipment, regardless of whether the materials, machinery or equipment are to be bought, sold, repaired, stored, incinerated, or discarded. This use includes the storage of self-contained cargo containers that have not been converted into a permanent building, but does not include new or used motor vehicle sales and rental display, nor does it include accessory and incidental parking of vehicles for residents, guests, customers or employees in connection with a principal use. For informational purposes, outdoor storage is subject to the limitations and requirements of Title 19.08.040(E)(4)(e).

Title 19.08.040(E)(4)(e) Outdoor Storage Areas development standards state, "In zoning districts identified in Table 2 of LVMC 19.12.010, Outdoor Storage as a separate land use shall be permitted only in the districts listed in the table for that use. However, in addition, other uses listed in LVMC 19.12.070 that include the storage of items outdoors are also subject to the requirements of this Subparagraph (e). In each case, such uses are subject to the following minimum standards set forth below, unless deviation or relief from any such standard is granted by means of a variance application under LVMC 19.16.140.

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- I. Outdoor Storage shall not be permitted within required setback areas, landscape buffer yards or other required landscape areas, or parking spaces required to meet minimum parking standards.
- II. Outdoor Storage shall be screened from view from any public street.
- III. Outdoor Storage shall be screened from view from any adjoining property, except along adjacent property lines of property zoned C-M or M.
- IV. Required screening shall consist of a solid structure that is at least eight feet in height, including, but not limited to, a building or wall.

In order to address nonconformities from the aforementioned Title 1919.08.040(E)(4)(e) Outdoor Storage Areas development standards, the applicant has requested a Variance (23-0666-VAR1) to allow outdoor storage area within required 10-foot side and 20-foot rear yard setback area where such is not permitted and to allow six-foot tall wall/fence (two-foot CMU block with four-foot wrought iron) from the public street where an eight-foot tall solid CMU screening wall is required.

The perimeter and interior parking lot landscaping has not been designed to comply with Title 19.08 development standards. The applicant has requested Waivers of Title 19.08.080 development standards to allow a zero-foot wide landscape on the north, west and south interior lot lines where eight feet is required and to allow a 10-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required. In addition, the applicant has requested an Exception from Title 19.08.110 development standards to allow zero interior parking lot islands and row end caps with 24-inch box trees where three are required and an Exception of Title 19.08.040 development standards to allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required. The submitted landscape plan indicates that 24-inch box Shoestring Acacia trees with five-gallon Red Yucca shrubs will be provided within the 10-foot wide landscape buffer adjacent to Clarkway Drive, which are consistent with the Southern Nevada Regional Planting List.

Staff has determined the proposed project is not compatible with surrounding development in the area, as existing residential uses are adjacent to the subject site to the north. Staff believes that the encroachment of an intense commercial zoning district adjacent to the existing single-family dwellings will create a negative impact to the dwellings by increased traffic and noise. Furthermore, the associated Variances, Waivers and Exceptions reinforce the incompatibility of the propose development with surrounding land uses. Therefore, staff recommends denial of this project with conditions.

FINDINGS (23-0666-ZON1)

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

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1. The proposal conforms to the General Plan.

The proposed Rezoning (23-0666-ZON1) application from R-E (Residence Estates) to C-2 (General Commercial) on the subject site is consistent with the existing MXU (Mixed Use) General Plan designation.

2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.

The C-2 (General Commercial) zoning district is designed to provide the broadest scope of compatible services for both the general and traveling public. This category allows retail, service, automotive, wholesale, office and other general business uses of an intense character, as well as mixed-use developments. This district should be located away from low and medium density residential development and may be used as a buffer between retail and industrial uses. The C-2 District is also appropriate along commercial corridors.

Staff has determined that proposed Rezoning (23-0666-ZON1) to C-2 (General Commercial) is inappropriate and inconsistent with the adjacent single-family detached dwellings in the surrounding area, specifically those located on the west side of Clarkway Drive that extend north up to Washington Avenue.

3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.

Growth and development factors in the surrounding community do not indicate the need for general commercial zoning encroaching into the existing rural residential neighborhood that extends northward up Clarkway Drive.

4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.

Site access is provided from Clarkway Drive a 50-foot wide Local Street as designated by Title 13. This street is sufficient in size to accommodate the needs of the proposed use.

FINDINGS (23-0666-VAR1)

In accordance with the provisions of Title 19.16.140(B), the Planning Commission and City Council, in considering the merits of a Variance request, shall not grant a Variance in order to:

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1. Permit a use in a zoning district in which the use is not allowed;
2. Vary any minimum spacing requirement between uses;
3. Relieve a hardship which is solely personal, self-created or financial in nature.”

Additionally, Title 19.16.140(L) states:

“Where by reason of exceptional narrowness, shallowness, or shape of a specific piece of property at the time of enactment of the regulation, or by reason of exceptional topographic conditions or other extraordinary and exceptional situation or condition of the piece of property, the strict application of any zoning regulation would result in peculiar and exceptional practical difficulties to, or exceptional and undue hardships upon, the owner of the property, a variance from that strict application may be granted so as to relieve the difficulties or hardship, if the relief may be granted without substantial detriment to the public good, without substantial impairment of affected natural resources and without substantially impairing the intent and purpose of any ordinance or resolution.”

No evidence of a unique or extraordinary circumstance has been presented, in that the applicant has created a self-imposed hardship by not complying with Title 19.08.040(E)(4)(e) Outdoor Storage Screening requirements. Alternative site design would allow conformance to the Title 19 requirements. In view of the absence of any hardships imposed by the site’s physical characteristics, it is concluded that the applicant’s hardship is preferential in nature, and it is thereby outside the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (23-0666-SDR1)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed Building Maintenance Service and Sales with Outdoor Storage land use is not compatible with adjacent development, particularly with the existing single-family residential dwellings to the north of the subject site.

2. **The proposed development is consistent with the General Plan, this Title, and other duly-adopted city plans, policies and standards;**

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The proposed development is not consistent with Title 19 Development Standards, as it requires a Variance for non-compliance with Outdoor Storage screening development standards, Waivers of required perimeter landscaping and Exceptions of required perimeter and interior landscape materials where such are required.

3. Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;

Site access is provided from Clarkway Drive a 50-foot wide Local Street as designated by Title 13. This street is sufficient in size to accommodate the needs of the proposed use.

4. Building and landscape materials are appropriate for the area and for the City;

No new buildings are proposed as part of the development, the site currently has a 2,564 square-foot single family home that will be converted into an office for the proposed development. The applicant has requested Waivers to allow a zero-foot wide landscape on the north, west and south interior lot lines where eight feet is required and to allow a 10-foot wide landscape buffer adjacent to the right-of-way where 15 feet is required.

In addition, the applicant has requested Exceptions from Title 19.08 to allow zero interior parking lot islands and row end caps with 24-inch box trees where three are required and to allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required. The submitted landscape plan indicates the primary tree species being utilized is the 24-inch box "Shoestring Acacia" trees and five-gallon "Red Yucca" shrubs, which are consistent with the Southern Nevada Regional Plan Coalition Regional Plant List.

5. Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;

The building elevations of the existing 2,564 square-foot single family home that will be converted into an office of the proposed development are not unsightly, undesirable, or obnoxious in appearance.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Development of the site will be subject to inspections, thereby protecting the health, safety and general welfare of the public.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/17/06	The City Council approved a request for a General Plan Amendment (GPA-9219) to change the Future Land Use designation to Commercial, Mixed Use, Industrial or Public Facilities on various parcels located within the proposed Las Vegas Redevelopment Plan area and within the proposed Redevelopment Plan expansion area. The Planning Commission and Staff recommended approval of the request.
08/15/07	A Code Enforcement case (CE-56826) was processed for numerous code violations at 651 Clarkway Drive. The case was resolved on 01/09/08.
06/18/24	<p>The Planning Commission voted (7-0) to recommend APPROVAL on the following Land Use Entitlement project requests on 0.84 acres at 651 Clarkway Drive (APN 139-28-301-031), Ward 5 (Crear).</p> <p>23-0666-ZON1 - REZONING - FROM: R-E (RESIDENCE ESTATES) TO: C-2 (GENERAL COMMERCIAL)</p> <p>23-0666-VAR1 - VARIANCE - TO ALLOW OUTDOOR STORAGE AREAS WITHIN THE REQUIRED SIDE AND REAR YARD SETBACK AREA WHERE SUCH IS NOT PERMITTED AND TO ALLOW A SIX-FOOT TALL WALL/FENCE (TWO-FOOT CMU BLOCK WITH FOUR-FOOT WROUGHT IRON) TO SCREEN FROM THE PUBLIC STREET WHERE AN EIGHT-FOOT TALL SOLID CMU SCREENING WALL IS REQUIRED</p> <p>23-0666-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR THE PROPOSED CONVERSION OF AN EXISTING 2,564 SQUARE-FOOT SINGLE-FAMILY DETACHED DWELLING TO A PROPOSED BUILDING MAINTENANCE SERVICE AND SALES DEVELOPMENT WITH WAIVERS OF PERIMETER LANDSCAPE BUFFER REQUIREMENTS</p>

<i>Most Recent Change of Ownership</i>	
10/03/23	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
09/06/07	A building permit (#R-97364) was issued for a 4'x8' shed with no plumbing, electrical or mechanical at 651 Clarkway Drive. The permit has not been finalized.

Related Building Permits/Business Licenses	
01/02/08	A building permit (#R-100733) was issued for a block wall w/engineering and corrugated steel at 651 Clarkway Drive. The permit has not been finalized.
07/30/19	A building permit (#R19-11306) was issued for heating, ventilation, air conditioning (HVAC) exact change outs and repairs at 651 Clarkway Drive. The permit was finalized on 10/03/19.

Pre-Application Meeting	
12/19/23	Staff conducted a pre-application meeting where the submittal requirements for a Rezoning, Variance and Site Development Plan Review were discussed for the proposed conversion of an existing single-family residence into a Building Maintenance Service and Sales commercial development.

Neighborhood Meeting	
A neighborhood meeting was not required, nor was one held.	

Field Check	
05/09/24	During a routine site inspection staff observed a single family dwelling with multiple vehicles being stored in the front yard of the property on dirt and the paved driveway. There were no half-street improvements (curb, gutter and sidewalk) installed adjacent to the subject site.

Details of Application Request	
Site Area	
Gross Acres	0.84

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Residential, Single-Family, Detached	MXU (Mixed Use)	R-E (Residence Estates)
North	Residential, Single-Family, Detached	MXU (Mixed Use)	R-E (Residence Estates)
	Outdoor Storage		C-2 (General Commercial)

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
South	General Retail Store, Other Than Listed	MXU (Mixed Use)	C-1 (Limited Commercial)
	Crop Production		R-E (Residence Estates)
East	Residential, Single-Family, Detached	MXU (Mixed Use)	R-E (Residence Estates)
	Outdoor Storage	C (Commercial)	C-2 (General Commercial)
West	Outdoor Storage	MXU (Mixed Use)	C-2 (General Commercial)

Master and Neighborhood Plan Areas	Compliance
Las Vegas 2050 Master Plan Area: West Las Vegas	Y
Special Area and Overlay Districts	Compliance
A-O (Airport Overlay) District - (140 Feet)	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.080, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Lot Width	100 Feet	169 Feet	Y
Min. Setbacks - Main Building			
• Front (East)	10 Feet	50 Feet	Y
• Side (North)	10 Feet	60 Feet	Y
• Side (South)	10 Feet	23 Feet	Y
• Rear (West)	20 Feet	107 Feet	Y
Max. Lot Coverage	50 %	7 %	Y

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Standard	Required/Allowed	Provided	Compliance
Max. Building Height	N/A	One Story, 11 Feet	Y*
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

Pursuant to Title 19.08.040, the following standards apply:

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	10 Feet	60 Feet	Y*
Adjacent development matching setback	10 Feet	60 Feet	Y
Trash Enclosure	50 Feet	63 Feet	Y

*Pursuant to Title 19.08.040(H)(2)(a)(iii), “Notwithstanding the Proximity Slope limitation contained in Subparagraph (a), a one story building up to 15 feet in height may be constructed to the applicable setback line that is established for the zoning district in which the property subject to the standards of this Subsection is located or which is established by Paragraph (d) of this Subsection (2).”

Existing Zoning	Permitted Density	Units Allowed
R-E (Residence Estates)	1 dwelling unit per lot	1 unit
Proposed Zoning	Permitted Density	Units Allowed
C-2 (General Commercial)	N/A	N/A
Existing General Plan	Permitted Density	Units Allowed
MXU (Mixed Use)	N/A	N/A

Pursuant to Title 19.08.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	14 Trees	0 Trees	N
• South	1 Tree / 20 Linear Feet	9 Trees	0 Trees	N
• East	1 Tree / 20 Linear Feet	9 Trees	9 Trees	N
• West	1 Tree / 20 Linear Feet	13 Trees	0 Trees	N
TOTAL PERIMETER TREES		45 Trees	9 Trees	N*
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	3 Trees	0 Trees	N**
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North		8 Feet	0 Feet	N***
• South		8 Feet	0 Feet	N***
• East		15 Feet	10 Feet	N***
• West		8 Feet	0 Feet	N***
Wall Height - Front Yard		8 Feet Adjacent to Right-of-Way	6 Feet (2' - CMU Block w/ 4' Wrought Iron)	N****
Wall Height - Perimeter		8 Feet	8 Feet	Y

* The applicant has requested an Exception to allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required.

**The applicant has requested an Exception to allow zero interior parking lot islands and end caps with 24-inch box trees where three are required at parking row end caps.

***The applicant has requested a Waiver to allow reduced perimeter landscape buffer widths.

****The applicant has requested a Variance (23-0666-VAR1) to allow six-foot tall wall/fence (two-foot CMU Block w/ four-foot wrought iron where an eight-foot tall solid CMU screening wall is required).

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Clarkway Drive	Local Street	Title 13	50	Y

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Pursuant to Title 19.04, the following standards apply:

Streetscape Standards	Required	Provided	Compliance
Clarkway Drive - Local Street	Sidewalk, amenity zone, w/ curb and gutter	No Improvements	Y*

*The Department of Public Works has approved a request for a deferral of required streetscape improvements.

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required			Provided		Compliance
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Building Maintenance Service and Sales	2,564 SF	1:300	8.5 (9)				
TOTAL SPACES REQUIRED			9		9		Y
Regular and Handicap Spaces Required			8	1	8	1	Y

Waivers		
Requirement	Request	Staff Recommendation
Pursuant to Title 19.08.080 a 15-foot wide landscape buffer is required adjacent to the right-of-way	To allow a 10-foot wide landscape buffer adjacent to the Clarkway Drive right-of-way on the east perimeter of the site.	Denial
Pursuant to Title 19.08.080 an eight-foot wide landscape buffer is required adjacent to interior lot lines	To allow a zero-foot wide landscape on the north, west and south interior lot lines where eight feet is required.	Denial

Exceptions		
Requirement	Request	Staff Recommendation
Pursuant to Title 19.08.110 one 24-inch box tree with four shrubs is required for every six uncovered spaces, plus one tree at the end of each row of spaces.	To allow zero interior parking lot islands and row end caps with 24-inch box trees where three are required.	Denial
Pursuant to Title 19.08.040 45 perimeter landscape trees are required within the landscape buffer areas.	To allow nine 24-inch box trees within the perimeter landscape buffer areas where 45 trees are required.	Denial