



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: FEBRUARY 21, 2024
DEPARTMENT: COMMUNITY DEVELOPMENT
ITEM DESCRIPTION: APPLICANT: CITY OF LAS VEGAS – OWNER: UNITED STATES OF AMERICA AND CITY OF LAS VEGAS

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0382-VAR1	Staff recommends APPROVAL, subject to conditions:	23-0382-SDR1
23-0382-SDR1	Staff recommends APPROVAL, subject to conditions:	23-0382-VAR1

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 27

NOTICES MAILED 403 (By City Clerk)

PROTESTS 4 – 23-0382 [VAR1 and SDR1]

APPROVALS 2 – 23-[VAR1 and SDR1]

**** CONDITIONS ****

23-0382-VAR1 CONDITIONS

Planning

1. A Variance (23-0382-VAR1) is hereby approved, to allow a 12-foot solid front yard wall where a five-foot front yard wall/fence with a two-foot solid base is the maximum allowed.
2. Approval of and conformance to the Conditions of Approval for Site Development Plan Review (23-0382-SDR1) shall be required, if approved.
3. 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.
4. 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.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

23-0382-SDR1 CONDITIONS

Planning

1. An administrative required review shall be performed six months after completion of the park expansion and operation commences of the pickle ball courts.
2. A sound study shall be performed prior to the issuance of a building permit.
3. No parking signs shall be installed along Constantinople Avenue adjacent to the park.

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4. Approval of and conformance to the Conditions of Approval for Variance (23-0382-VAR1) shall be required, if approved.
5. 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.
6. All development shall be in conformance with the site plan, landscape plan, and building elevations, date stamped 11/01/23, except as amended by conditions herein.
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. 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.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

11. Per Title 13.12, dedicate 30 feet of right-of-way for Constantinople Avenue, where such does not exist, adjacent to this site prior to the issuance of any permits.
12. Construct half-street improvements matching improvements to the west on Constantinople Avenue, including appropriate overpaving, adjacent to this site concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site. Appropriate barricade or other improvements for the terminus of Constantinople shall meet the approval of the City Engineer.

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13. Coordinate with the Environmental Compliance & Enforcement staff of the Department of Public Works to locate any required grease interceptor and sand/oil interceptors in acceptable locations prior to submittal of sewer-related plans. Comply with the recommendations and requirements of the Environmental Compliance & Enforcement staff prior to the issuance of permits. The team may be contacted at 702-229-6594 or emailed at ece@lasvegasnevada.gov.
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. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Site Development Plan Review for the proposed expansion of Wayne Bunker Park to develop a 24-court pickleball complex.

ISSUES

- A Major Amendment to previously approved Development Plan [Z-0022-88(1)] is requested for the proposed expansion of Wayne Bunker Park to establish an outdoor pickleball complex. Staff supports this request.
- A Variance (23-0382-VAR1) is requested to allow a 12-foot tall solid front yard wall where a five-foot front yard wall/fence with a two-foot solid base is the maximum allowed. Staff supports this request.
- The Public Park or Playground use is permitted in both the C-V (Civic) and U (Undeveloped [R (Rural Density Residential) General Plan Designation] zones.

ANALYSIS

The subject sites are currently zoned C-V (Civic) and U (Undeveloped [R (Rural Density Residential) General Plan Designation] and are subject to Title 19 development standards. Part of the site (APN 138-10-101-015, 138-10-101-006 and 138-10-196-002) are C-V (Civic) zoned. The C-V (Civic) zoning district allows any use operated or controlled by city, county, state or federal government, including a Public Park or Playground operated by the City of Las Vegas. The remaining parcel (APN 138-10-101-019) is zoned U (Undeveloped [R (Rural Density Residential) General Plan Designation]. Here, the U district functions as a temporary classification to be used until property is ready for development. Development standards defined in Title 19.06.050 are consistent with standards applied in the R-E (Residence Estates) zoning district.

The proposed expansion of Wayne Bunker Park is designed to accommodate a pickleball complex that will have 24 courts, spectator seating, shaded areas in addition to a concession and restroom building. Pursuant to Title 19.12, two parking spaces per gross acre, plus additional parking for each major sports facility is required. For facilities not specifically listed, the parking requirement shall be determined by applying the nearest comparable standard, as determined by the Director of Community Development. As parking standards for a pickleball facility are not defined in Title 19, staff has applied the on-site parking requirements for a Commercial Recreation/Amusement (Outdoor) use for Golf Courses which requires an additional four spaces per hole. The submitted site plan depicts a sufficient number of parking spaces as 158 spaces are provided where 120 are required.

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The subject sites are adjacent to single family residential development south of Constantinople Avenue. Per the submitted building elevations the applicant proposes to construct a 12-foot tall front yard wall that extends across the two southernmost parcels (APNs 138-10-101-019 and 138-10-101-006). Pursuant to Title 19.06.050, front yard walls may be a maximum of five feet tall where the top three feet is required to be open to permit visibility. The City of Las Vegas has therefore requested a Variance of this requirement to allow a 12-foot tall solid front yard wall along the subject properties. This request is intended to mitigate potential visual and audible noise concerns brought forward by neighboring residences that may be generated by the proposed pickleball complex. Staff finds that this is a unique circumstance and the proposed deviation would not have a negative impact on adjacent properties. Therefore, staff supports this Variance request.

Landscaping onsite is dense and evenly spread throughout the proposed development. The proposed perimeter landscape buffers also provide an adequate buffer between the adjacent residential and church/house of worship uses. The City of Las Vegas 2050 Master Plan has prioritized increasing tree canopy across all areas of the city for multiple public health and environmental benefits. This includes decreasing the amount of heat absorbed by asphalt areas like streets or parking lots. Therefore, staff has found that the submitted landscape plan fulfills key objectives of the master plan relating to urban forestry and mitigating the urban heat island effect.

Parks and recreation assets are one of the greatest contributors to environment and quality of life in the City of Las Vegas. The use of these resources is reinforced by the statistically significant ward-based resident survey where 67 percent of residents find parks above average quality, 73 percent of residents feel at least moderately safe in City parks, and over 60 percent of residents use amenities like open spaces and walking trails at parks. As the City continues to grow, the Master Plan includes recommendations to increase the quantity and access to parks to seven acres per 1,000 residents within a one-fourth mile walk. This represents a significant increase over the current quantity of parks per resident. Accomplishing this task involves the use of Southern Nevada Public Land Management Act (SNPLMA) new park bonds for the upgrade of existing parks. The City of Las Vegas has indicated that funding for park construction would be partially fulfilled using funds from SNPLMA. Additionally, the City of Las Vegas has an active Parks Capital Improvement Plan (CIP) which identifies culture and park development priorities for future recreational projects and improvements, including the proposed expansion of Wayne Bunker Park for an outdoor pickleball complex.

Staff finds that the proposed development will be compatible and harmonious with the existing and surrounding residential development in the area despite the requested Variance of front yard wall height maximum standards. Therefore, staff recommends approval of the requested Site Development Plan Review and Variance, subject to conditions.

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FINDINGS (23-0382-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:

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."

Staff finds sufficient evidence has been presented to allow approval of the requested deviation in front yard wall maximum height standards. Therefore, it is concluded that the applicant's hardship is not preferential in nature, and it is thereby within the realm of NRS Chapter 278 for granting of Variances.

FINDINGS (23-0382-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;**

Despite the requested Variance of front yard wall height maximums, the proposed development is compatible with the adjacent residential development and church/house of worship development in the area.

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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Despite the requested Variance of front wall height maximums, which staff supports, the proposed expansion of Wayne Bunker Park fulfills key objectives of the City of Las Vegas 2050 Master Plan and is otherwise consistent with other duly-adopted city plans, policies, and standards.

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

Site access is provided by Alexander Road, a 100-foot Primary Arterial as defined by the Master Plan of Streets and Highways. Site access and circulation will not negatively impact adjacent roadways or neighborhood traffic.

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

Landscape materials are consistent with the Southern Nevada Regional Plant List. Building materials consist of ground face block and metal accents that are appropriate for the area and for the City.

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;

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.

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

Site development is subject to building permit review and inspection, thereby securing the public health, safety and general welfare.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
05/18/88	The City Council approved a request for Rezoning to C-V (Civic) on the existing portion of Bunker Park as part of a larger request (Z-22-88).
04/05/89	The City Council approved a request for Review of Development Plan for the proposed park (Bunker Park) [Z-22-88(1)].
02/02/00	The City Council adopted Ordinance No. (#5195) to extend the boundaries of the City of Las Vegas which particularly annexes property generally located near the northeast corner of Buffalo Drive and Constantinople Avenue.
05/17/00	The City Council approved a Site Development Plan Review (SD-0016-00) for the expansion of Wayne Bunker Park on the south side of Alexander Road between Buffalo Drive and Tenaya Way.
08/04/21	The City Council adopted an Ordinance No. (#6793) to extend the boundaries of the City of Las Vegas which particularly annexes property described as 7418 Constantinople Avenue.
12/15/21	The City Council approved a General Plan Amendment (21-0497-GPA1) from: R (Rural Density Residential) to: PF (Public Facilities) at 7418 Constantinople Avenue.
12/15/21	The City Council approved a Rezoning (21-0497-ZON1) from: R-E (Residence Estates) to: C-V (Civic) at 7418 Constantinople Avenue.
12/12/23	The Planning Commission (6-0 vote) recommend and Staff recommends APPROVAL on the entire Land Use Entitlement project.
1/17/24	<p>The City Council voted (7-0) to HOLD IN ABEYANCE For possible action on an Appeal of the Approval by the Planning Commission on the following Land Use Entitlement project requests on 5.43 acres at 7351 West Alexander Road (APNs 138-10-101-019, 138-10-101-006, 138-10-196-002, and 138-10-101-015), U (Undeveloped [R (Rural Density Residential) General Plan Designation] and C-V (Civic) Zones, Ward 4 (Allen-Palenske).</p> <p>23-0382-VAR1 - TO ALLOW A 12-FOOT SOLID FRONT YARD WALL WHERE A FIVE-FOOT FRONT YARD WALL/FENCE WITH A TWO-FOOT SOLID BASE IS THE MAXIMUM ALLOWED</p> <p>23-0382-SDR1 - SITE DEVELOPMENT PLAN REVIEW - FOR A MAJOR AMENDMENT TO A PREVIOUSLY APPROVED DEVELOPMENT PLAN [Z-0022-88(1)] FOR THE PROPOSED EXPANSION OF WAYNE BUNKER PARK TO ESTABLISH AN OUTDOOR PICKLEBALL COMPLEX</p>

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Most Recent Change of Ownership	
08/19/99	A deed was recorded for a change in ownership. (APN: 138-10-101-015)
1900	A deed was recorded for a change in ownership (APN: 138-10-101-019)
11/20/19	A deed was recorded for a change in ownership (APN 138-10-101-006)

Related Building Permits/Business Licenses
There are no related Building Permits or Business Licenses.

Pre-Application Meeting	
07/18/23	A pre-application meeting was held with the applicant to discuss the submittal requirements for a Site Development Plan Review.

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

Field Check	
11/01/23	A routine field check was conducted by staff and observed two undeveloped parcels. Nothing of concern was noted.

Details of Application Request	
Site Area	
Net Acres	11.89

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Public Park or Playground	PR-OS (Parks, Recreation, and Open Space)	C-V (Civic)
	Undeveloped	R (Rural Density Residential)	U(R) (Undeveloped [R (Rural Density Residential) General Plan Designation])
	Undeveloped	PF (Public Facilities)	C-V (Civic)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
North	Residential, Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
South	Undeveloped	Low-Intensity Suburban Neighborhood – Clark County	R-E (Rural Estates Residential District) – Clark County
	Residential, Single Family, Detached		
East	Public Park or Playground	PR-OS (Parks, Recreation, and Open Space)	C-V (Civic)
		PF (Public Facilities)	
West	Church/House of Worship	R (Rural Density Residential)	U(R) (Undeveloped [R (Rural Density Residential) General Plan Designation])

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Lone Mountain	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District 175 Feet	Y
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

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Pursuant to Title 19.06, the following standards apply for APN: 138-10-101-019

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	18,000 SF	129,808 SF	Y
Min. Lot Width	100 Feet	345 Feet	Y
Min. Setbacks – Shade Structure			
• Front	50 Feet	96 Feet	Y
• Side	15 Feet	22 Feet	Y
• Rear	35 Feet	182 Feet	Y
Max. Lot Coverage	N/A	0%	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/a Roof or Trellis	Y
Mech. Equipment	Screened		Y

Development Standards in the C-V Zoning District shall be established by the City Council in connection with the approval of this Site Development Plan Review (23-0382-SDR1) for APN: 138-10-101-006.

Standard	Required/Allowed	Provided	Compliance
Min. Lot Size	112,384 SF	112,384 SF	N/A
Min. Lot Width	345 Feet	345 Feet	N/A
Min. Setbacks – Restroom/Concessions Building			
• Front	97 Feet	97 Feet	N/A
• Side	134 Feet	134 Feet	N/A
• Rear	182 Feet	182 Feet	N/A
Max. Lot Coverage	2%	2%	N/A

Standard	Required/Allowed	Provided	Compliance
Max. Building Height	14 Feet	14 Feet	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/a Roof or Trellis	N/A
Mech. Equipment	Screened	Screened	N/A

Pursuant to Title 19.06, the following standards apply for APN: 138-10-101-019

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees:				
• North	N/A	N/A	0 Trees	N/A
• South	1 Tree / 20 Linear Feet	17 Trees	17 Trees	Y
• East	N/A	N/A	0 Trees	N/A
• West	1 Tree / 20 Linear Feet	15 Trees	15 Trees	Y
TOTAL PERIMETER TREES		32 Trees	32Trees	Y
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	N/A		19 Feet	N/A
• South	6 Feet		15 Feet	Y
• East	N/A		6 Feet	N/A
• West	0 Feet		10 Feet	Y

Development Standards in the C-V Zoning District shall be established by the City Council in connection with the approval of this Site Development Plan Review (23-0382-SDR1) for APN: 138-10-101-006.

<i>Landscaping and Open Space Standards</i>				
<i>Standards</i>	<i>Required</i>		<i>Provided</i>	<i>Compliance</i>
	<i>Ratio</i>	<i>Trees</i>		
Buffer Trees:				
• North	0 Trees	0 Trees	0 Trees	N/A
• South	17 Trees	17 Trees	17 Trees	N/A
• East	0 Trees	0 Trees	0 Trees	N/A
• West	15 Trees	15 Trees	15 Trees	N/A
TOTAL PERIMETER TREES		32 Trees	32 Trees	N/A
Parking Area Trees	8 Trees	8 Trees	8 Trees	N/A

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Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
LANDSCAPE BUFFER WIDTHS				
Min. Zone Width				
• North	0 Feet		0 Feet	N/A
• South	15 Feet		15 Feet	N/A
• East	9 Feet		9 Feet	N/A
• West	0 Feet		0 Feet	N/A

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Alexander Road	Primary Arterial	Master Plan of Streets and Highways Map	100 Feet	Y

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	
Public Park or Playground	24 Courts	2 spaces per gross acre, plus spaces for each sports facility (Commercial Recreation/A musement (Outdoor – Golf Course [4 spaces per hole]	24				
	11.89 acres		96				
TOTAL SPACES REQUIRED			120		158		Y
Regular and Handicap Spaces Required			115	5	149	9	Y