



AGENDA MEMO - COMMUNITY DEVELOPMENT

CITY COUNCIL MEETING DATE: JUNE 21, 2023

DEPARTMENT: COMMUNITY DEVELOPMENT

ITEM DESCRIPTION: APPLICANT/OWNER: COUNTY OF CLARK DEPARTMENT OF REAL PROPERTY MANAGEMENT

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
23-0115-WVR1	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 24

NOTICES MAILED 198 (by City Clerk)

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

23-0115-WVR1 CONDITIONS

Planning

1. 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.
2. 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.
3. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Waiver to allow an eight-foot tall solid perimeter fence in the front setback area, where the maximum height allowed is five feet for an existing commercial office development at 121 South Martin L King Boulevard.

ISSUES

- The Unified Development Code Title 19.09.100(C) Fencing and Screening Standards, limits front yard fences to a maximum of five feet in height between the front property line and primary structure.
- Pursuant to Title 19.09.030(J) development standards, “An applicant may apply for a Waiver pursuant to LVMC (Las Vegas Municipal Code) 19.16.130 if it is determined that specific development standards cannot be met. The Planning Commission may approve, approve with conditions, or deny an application for a Waiver in compliance with LVMC Section 19.16.130 (Waiver).
- The applicant has requested a Waiver to allow the installation of an eight-foot wall between the front property line and primary structure. Staff supports the request.

ANALYSIS

The subject site is located within the Downtown Las Vegas Overlay – Las Vegas Medical District, Area 3 within T5-M (T5 Maker) transect zone and is subject to Title 19.09 development standards. The subject site currently is developed with an administrative office which is operated by Clark County’s Department of Family Services.

The submitted justification letter indicates, “Clark County Real Property Management on behalf of Clark County Department of Family Services would like to extend an existing screen wall which exists within the front yard of the subject site in order to enclose and secure the outdoor activities area, which was formally a drive through payment line for the previous tenant (Cable One Communications).” Currently, there are existing solid screen walls along the Martin L King Boulevard street frontage at the north and southern ends of the property that vary in height from eight feet to 14 feet.

Staff Report Page Two
June 21, 2023 - City Council Meeting

The proposed new screen wall connects these two walls and is setback 12 feet, 11 inches from the front property line. The submitted wall elevations indicate the wall will be eight feet in height with decorative painted corrugated panels and painted steel graphics that depict flying birds. Staff finds the proposed development is consistent with surrounding commercial developments. Therefore, staff recommends approval of the requested Waiver subject to conditions.

FINDINGS (23-0115-WVR1)

Staff has determined that the design and materials which will be utilized for the proposed fence are aesthetically compatible with the proposed development and surrounding development in the area. For this reason, staff has determined the proposed fence substantially conforms to the design of the existing walls located in the front yard setback area, and it is thereby within the realm for granting approval of the requested Waiver.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
09/14/00	The Planning Commission approved a request for an administrative Site Development Plan Review (SD-0052-00) for a proposed 212-stall parking lot in conjunction with an existing utility provider facility (Cox Communications) at 121 South Martin L. King Boulevard
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. Wards 1 (Tarkanian), 3 (Reese), and 5 (Weekly).
06/22/07	The Department of Community Development - Planning Division processed a request for a Temporary Sign Permit (TSP-22806) for a temporary banner (15" x 30") from 07/01/08 to 08/30/07. The permit was approved on 12/11/08 and finalized on 06/29/07.
08/04/15	The Department of Community Development - Planning Division processed a request for a Zoning Verification Letter (ZVL-60521). The letter was finalized on 08/04/15.

Staff Report Page Three
June 21, 2023 - City Council Meeting

<i>Related Relevant City Actions by Planning, Fire, Building, Code Enforcement, etc.</i>	
12/05/18	The City Council approved a request for a General Plan Amendment (GPA-73548) to amend portions of the Southeast Sector Land Use Map of the General Plan from: C (Commercial), LI/R (Light Industry/Research), LVMD (Las Vegas Medical District), M (Medium Density Residential), MXU (Mixed Use) and SC (Service Commercial) to: FBC (Form-Based Code) on approximately 307 acres in the Las Vegas Medical District generally located south of U.S. Highway 95, west of Interstate 15, north of Charleston Boulevard, and east of Rancho Drive.
03/18/19	The Department of Community Development - Planning Division administratively approved Minor Site Development Plan Review (SDR-76065) for a 2.00-foot by 7.00-foot and 4.50-foot by 9.50-foot embellishments on an existing off-premise sign located at 275 South Martin L. King Boulevard
05/09/23	The Planning Commission voted (6-0-1) to recommend APPROVAL of a request TO ALLOW AN EIGHT-FOOT TALL SOLID WALL ERECTED BETWEEN THE FRONT PROPERTY LINE AND THE PRIMARY STRUCTURE WHERE FIVE-FEET WITH A TWO-FOOT SOLID BASE IS THE MAXIMUM HEIGHT ALLOWED on 2.65 acres at 121 South Martin L King Boulevard (APN 139-33-501-022), T5-M (T5 Maker) Zone, Ward 1 (Knudsen).

<i>Most Recent Change of Ownership</i>	
11/04/19	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
10/26/21	A building permit (#C21-04543) was processed for tenant improvements consisting of the interior remodel of the entire building, reroofing of the building, partial exterior painting, new exterior ramp, and site improvements at 121 South Martin L King. The permit was cancelled as it is an exact duplicate of building permit (#C21-04466).
09/22/22	A building permit (#C21-04466) was issued for tenant improvements consisting of the interior remodel of the entire building, reroofing of the building, partial exterior painting, new exterior ramp, and site improvements at 121 South Martin L King. The permit has not been finalized.

Staff Report Page Four
June 21, 2023 - City Council Meeting

Related Building Permits/Business Licenses	
01/03/23	A building permit (#PRC23-00008) was processed to install 1,776 linear feet of eight-foot high corrugated B-Decking fence at 121 South Martin L King. The permit was denied by the Department of Community Development - Planning Division pending approval of a Waiver.
01/23/23	A building permit (#F22-02083) was issued for a fire alarm system at 121 South Martin L King. The permit has not been finalized.
01/31/23	A building permit (#F23-00016) was issued for installation of a fire sprinkler system at 121 South Martin L King. The permit has not been finalized.

Pre-Application Meeting	
03/02/23	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for wall height Waiver for proposed eight-foot wall in the front yard area.

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

Field Check	
03/30/23	A routine field check was conducted by staff and found a commercial office development with landscape work occurring on the west perimeter of the property adjacent to Martin L King Boulevard.

Details of Application Request	
Site Area	
Gross Acres	2.65

Staff Report Page Five
June 21, 2023 - City Council Meeting

<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>
Subject Property	Office	FBC (Form-Based Code)	T5-M (T5 Maker Zone)
North	Warehouse/Distribution Center	FBC (Form-Based Code)	T5-M (T5 Maker Zone)
South	Restaurant	FBC (Form-Based Code)	T5-M (T5 Maker Zone)
	Commercial Recreation Indoor		
East	General Retail	FBC (Form-Based Code)	T5-M (T5 Maker Zone)
West	Multi-Family Residential	FBC (Form-Based Code)	T4-C (T4 Corridor Zone)
	General Retail		T5-M (T5 Maker Zone)

<i>Master and Neighborhood Plan Areas</i>	<i>Compliance</i>
Las Vegas 2050 Master Plan Area: Downtown Las Vegas	Y
<i>Special Area and Overlay Districts</i>	<i>Compliance</i>
A-O (Airport Overlay) District - (175 Feet)	Y
DTLV-O (Downtown Las Vegas Overlay) Las Vegas Medical District – Area 3	N*
<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails	N/A
Las Vegas Redevelopment Plan Area – Area 1	Y
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

*The applicant has requested a Waiver (23-0115-WVR1) to allow an eight-foot tall front yard wall that exceeds the five-foot maximum that is allowed on the subject site.

Staff Report Page Six
June 21, 2023 - City Council Meeting

DEVELOPMENT STANDARDS

Pursuant Title 19.09.100, the following standards apply:

<i>Fencing and Screening Standards</i>			
<i>Standards</i>	<i>Required</i>	<i>Provided</i>	<i>Compliance</i>
Wall Height	The maximum height of fences and walls erected between the front property line and the primary structure shall not exceed five (5) feet, and the maximum height of solid fences or walls shall not exceed two (2) feet.	8 Feet	N*

*The applicant has requested a Waiver (23-0115-WVR1) to allow an eight-foot tall solid front yard wall that exceeds the five-foot maximum with two-foot solid base that is allowed on the subject site.

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Martin L King Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	105	Y
Symphony Park Avenue	Local Street	Title 13	80	Y

<i>Waiver</i>		
<i>Requirement</i>	<i>Request</i>	<i>Staff Recommendation</i>
The maximum height of fences and walls erected between the front property line and the primary structure shall not exceed five (5) feet, and the maximum height of solid fences or walls shall not exceed two (2) feet.	To allow an eight-foot tall solid wall between the front property line and primary structure.	Approval