

03/17/21 BCC AGENDA SHEET

OFFICE/WAREHOUSE  
(TITLE 30)

**UPDATE**  
SCHIRLLS ST/RENO AVE

PUBLIC HEARING  
APP. NUMBER/OWNER/DESCRIPTION OF REQUEST  
**WS-20-0579-MBL SCHIRLLS, LLC:**

**APPEAL WAIVER OF DEVELOPMENT STANDARDS** to allow alternative driveway geometrics.

**DESIGN REVIEW** for a proposed office/warehouse building on 0.8 acres in an M-1 (Light Manufacturing) Zone.

Generally located on the west side of Schirlls Street, approximately 300 feet south of Reno Avenue within Paradise. MN/lm/jd (For possible action)

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RELATED INFORMATION:

**APN:**  
162-30-601-057

**WAIVER OF DEVELOPMENT STANDARDS:**  
Allow a commercial driveway per Uniform Standard Drawing 224 where Uniform Standard Drawing 225 is required.

**LAND USE PLAN:**  
WINCHESTER/PARADISE - INDUSTRIAL

**BACKGROUND:**  
**Project Description**

General Summary

- Site Address: N/A
- Site Acreage: 0.8
- Project Type: Office/warehouse
- Number of Stories: 2
- Building Height (feet): 28
- Square Feet: 15,600
- Parking Required/Provided: 23/23

Site Plan

The plan depicts an office/warehouse building centrally located on the northern portion of the site. The building is set back 74 feet from the front (east) property line, 30 feet from the south property line, and 62 feet from the west property line. Parking is located on the east and west sides of the building with 23 parking spaces. There are 2 loading spaces and a covered trash

enclosure located along the west property line south of the westerly parking area. Long-term bicycle parking and storage is provided interior to the building next to the office space, and 2 short-term bicycle spaces are provided at the front of the building. Access to the site is provided by a single driveway from Schirlls Street near the south property line.

Landscaping

The plan depicts a 6.5 foot wide landscape area with an attached sidewalk along Schirlls Street consisting of trees, shrubs, and groundcover. Landscape islands consisting of trees, shrubbery, and groundcover are located in the parking areas to the east and west sides of the building. Adjacent to the east side of the building there are small Evergreen trees, shrubbery, and groundcover.

Elevations

The building is 2 story with an overall height of 28 feet. The building is constructed of two-tone painted concrete walls with a flat roof behind a parapet wall. The southeast corner of the building elevations include a main entry with storefront window and door systems next to the interior office spaces. Roll-up doors are located on the south and west sides of the building.

Floor Plan

The plan indicates that the building has a total area of 15,600 square feet. At the southeast corner of the building there is 1,400 square feet of office area on the first level, and 1,400 square feet of office area on the second level, with 12,800 square feet of warehouse space on the westerly side of the building.

Signage

Signage is not a part of this request.

Applicant’s Justification

The applicant states that they are trying to revitalize a currently vacant lot with an attractive industrial building. In addition, the project meets Code requirements in terms of parking, accessibility, and landscaping.

**Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
DR-0765-16	Office/warehouse building - expired	Approved by PC	December 2016
DR-0876-98	Office/warehouse building - expired	Approved by PC	July 1998

**Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, & West	Industrial	M-1	Office warehouse & outside storage
East	Industrial	M-1	Undeveloped

## **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

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.

##### Design Review

This request complies with Urban Specific Policy 101 which encourages industrial developments that are complementary with abutting uses by providing appropriate buffers, setbacks, landscaping, building height and materials; therefore, staff can support this request.

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

##### Waiver of Development Standards

Commercial curb return driveways per Uniform Standard Drawings 222.1 and 225 help mitigate traffic by allowing a smooth transition from the right-of-way into the commercial site, whereas pan driveways require vehicles to nearly come to a stop to negotiate a turn into a site. The site just south has installed a commercial curb return driveway and staff finds that there is no valid justification to not comply. If this application is approved, the driveway should be replaced with a commercial pan driveway in order to provide ADA compliant sidewalks.

#### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for McCarran International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

#### **Staff Recommendation**

Approval of design review; denial of waiver of development standards.

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.

## **STAFF CONDITIONS:**

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

- Reconstruct the driveway as a commercial pan per Uniform Standard Drawing 224 or provide a 5 foot wide concrete sidewalk behind the existing driveway for compliance with the Americans with Disabilities Act (ADA).

**PLANNING COMMISSION ACTION:** February 16, 2021 – APPROVED – Vote: Unanimous

### **Current Planning**

- Certificate of Occupancy and/or business license shall not be issued without final zoning inspection.
- 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.

### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

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

- Applicant is advised that fire/emergency access must comply with the Fire Code as amended (emergency access is required around the perimeter of the building, fire department access doors may be required not to exceed 125 feet on center; all portions of the exterior of the building required to be within 150 feet of fire access lane, increases due to sprinklers do not apply for high piled storage (see CCFC 503.1.1, IFC 3206.2,

3206.6, 3206.7); show fire hydrant locations on-site and within 750 feet (depending on construction type, an additional hydrant may be required); and to show on-site fire lane, turning radius, and turnarounds (minimum turning radii required to be maintained).

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

- Applicant is advised that a Point of Connection (POC) request has been initiated for this project; to email sewerlocation@cleanwaterteam.com and reference POC Tracking #0475-2020 to obtain your POC exhibit; and that flow contributions exceeding CCWRD estimates may require a new POC analysis.

WAIVER OF DEVELOPMENT STANDARDS WAS DENIED.

**TAB/CAC:**

**APPROVALS: 4 cards**

**PROTESTS:**

**APPEAL:** This item has been appealed by the applicant who does not agree with the Planning Commission action regarding the waiver of development standards portion of the request and preserves the right to challenge their decision.

**APPLICANT:** EUGENE PAVLOVSKY

**CONTACT:** EUGENE PAVLOVSKY, CHAIT & COMPANY, INC., 7306 COLDWATER CANYON AVE., UNIT 12, NORTH HOLLYWOOD, CA 91605